



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
RMA900010

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
RON PRICE 304-558-0492

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

G.W. Peoples Contracting Company, Inc.  
 1024 Route 519, Suite 200  
 Eighty Four, PA 15330

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/12/2008				

BID OPENING DATE: 12/10/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		160-52		\$ 591,548.00
TRACK CONSTRUCTION, CROSSTIE & BRIDGE  CONTRACT TO PROVIDE FOR TRACK CONSTRUCTION, CROSSTIE AND BRIDGE TIE REPLACEMENT, AND SURFACING. ALL WORK IS LOCATED ON THE WEST VIRGINIA CENTRAL RAILROAD PER THE ATTACHED SPECIFICATIONS.  A MANDATORY PREBID WILL BE HELD ON NOVEMBER 18, 2008 AT 10:00 AM AT THE BELINGTON YARD IN BELINGTON, WV. THIS PRE-BID WILL INCLUDE AN INSPECTION TRIP OF THE PORTION OF RAILROAD WHERE THE WORK WILL BE COMPLETED. BIDDERS MUST PROVIDE THEIR OWN HY-RAIL EQUIPMENT OR MAKE ARRANGEMENTS WITH OTHER POTENTIAL VENDORS TO RIDE WITH THEM. FAILURE TO ATTEND THIS PREBID MEETING WILL RESULT IN DISQUALIFICATION OF THE BID. CONTRACTORS SHOULD INFORM RON PRICE AT 304-558-0492 OF THEIR INTENT TO ATTEND.  PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS  L. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED IN THIS CONTRACT,  A. "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATION OF OR OTHER IMPROVEMENT TO ANY BUILDING OR STRUCTURE, INCLUDING, BUT NOT LIMITED TO, ROAD						

RECEIVED  
 08 DEC 16 AM 10:59  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Janice McDowell</i>	TELEPHONE 724-223-7807	DATE 12/15/08	
TITLE Vice President	FEIN 25-1365856	ADDRESS CHANGES TO BE NOTED ABOVE	

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

**GENERAL TERMS & CONDITIONS  
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



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				OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT, OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001.		
				B. "STEEL PRODUCTS" MEANS PRODUCTS ROLLED, FORMED, SHAPED, DRAWN, EXTRUDED, FORGED, CAST, FABRICATED OR OTHERWISE SIMILARLY PROCESSED, OR PROCESSED BY A COMBINATION OF TWO OR MORE OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS.		
				C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.		
2.				THE DIRECTOR OF THE PURCHASING DIVISION MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:		
				A. THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR,		
				B. THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT QUANTITY OR OTHERWISE ARE NOT REASONABLY		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Janice McDowell</i>	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
TITLE Vice President	FAX 25-1365856	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>AVAILABLE TO MEET CONTRACT REQUIREMENTS.</p> <p>3. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56.</p> <p>REV. 10/01/01</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED PURCHASING AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED PURCHASING AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 365 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.</p> <p>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.</p>						

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<p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR VARIOUS COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF 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.</p> <p>( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH 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 SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN TH</p>						

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SIGNATURE <i>Janice McDowell</i>	TITLE Vice President	NAME Janice McDowell	FEIN 25-1365856	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
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<p>STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPCTABLE IN LIEU OF THE 5% BID BOND. PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF 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 EQUIPMENT 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.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Janice McDowell</i> Janice McDowell TITLE Vice President	FEIN 25-1365856	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
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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 ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Janice McDowell</i> Vice President	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
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<p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS.:</p> <p>NO. 1 November 13, 2008</p> <p>NO. 2 December 2, 2008</p> <p>NO. 3</p> <p>NO. 4</p>						

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<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p> <p>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.</p> <p>.....<i>Janice McDowell</i>.....SIGNATURE            Janice McDowell, Vice President            .....G.W. Peoples Contracting Co., Inc.....COMPANY            ....December 15, 2008.....DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE</p> <p>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 CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY B MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS</p>						

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 Eighty Four, PA 15330

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
 RAILROAD  
 120 WATER PLANT DRIVE  
 MOOREFIELD, WV  
 26836 304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/12/2008				

BID OPENING DATE: 12/10/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: ..... G.W. Peoples Contracting Co., Inc. ....</p> <p>CONTRACTORS LICENSE NO.: ..WV040069.....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>REV. 1/2005</p> <p>NOTICE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Jenice McDowell</i>	Jenice McDowell	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
TITLE Vice President	FEIN 25-1365856	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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
RMA900010

PAGE
10

ADDRESS CORRESPONDENCE TO ATTENTION OF
RON PRICE 304-558-0492

VENDOR

RFQ COPY  
TYPE NAME/ADDRESS HERE

G.W. Peoples Contracting Company, Inc.  
 1024 Route 519, Suite 200  
 Eighty Four, PA 15330

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/12/2008				

BID OPENING DATE: 12/10/2008 BID OPENING TIME: 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: RP-41</p> <p>REQ. NO.: RMA900010</p> <p>BID OPENING DATE: 12/10/08</p> <p>BID OPENING TIME: 1:30PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>----- 724-223-6961 -----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:</p> <p>----- Bill Frey, Operations Manager -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>Jenice McDowell</i> Jenice McDowell	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
TITLE Vice President	FEIN 25-1365856	ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia  
 Department of Administration  
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 2019 Washington Street East  
 Post Office Box 50130  
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# Request for Quotation

RFQ NUMBER
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PAGE
11

ADDRESS CORRESPONDENCE TO ATTENTION OF
RON PRICE
304-558-0492

RFQ COPY

TYPE NAME/ADDRESS HERE

G.W. Peoples Contracting Company, Inc.  
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 Eighty Four, PA 15330

SHIP TO

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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/12/2008				

BID OPENING DATE: 12/10/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ RMA900010 ***** TOTAL:						\$ 591,548.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Jenice McDowell</i>	TITLE Vice President	FEIN 25-1365856	TELEPHONE 724-223-7807	DATE Dec. 15, 2008
-------------------------------------	-------------------------	--------------------	---------------------------	-----------------------

ADDRESS CHANGES TO BE NOTED ABOVE

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

The West Virginia Purchasing Division for the agency, The West Virginia State Rail Authority is soliciting bids for track construction, crosstie and bridge tie replacement and surfacing. All work is located on the West Virginia Central Railroad (WVCR).

### DESCRIPTION OF WORK

**3000 TIES TOTAL FOR REPLACEMENT:** MP 5 to MP 11 – 650 ties; Belington Yard MP 11.3 - 75 ties; MP 15.8 to MP 26.5 – 575 ties and MP 29.0 to MP 38.4 – 1200 ties; Dailey Branch MP 0 to MP 1 – 200 ties; Norton Branch MP 0.2 to MP 1.8 - 300 ties (75% of the 3000 ties are in curves)

1. Tie Replacement
  - a. Ties will be handled carefully to avoid damage in accordance with AREMA specifications.
  - b. The contractor will replace only those ties marked for replacement by WVCR.
  - c. The contractor will remove and properly dispose of old ties. Ties must be stacked clear of tracks and must not be stacked on property other than WVCR right-of-way.
  - d. New and old ties can be stored at Belington, Elkins and Bowden until removed.
  
2. Spiking of Ties
  - a. New ties will be spiked to a gage of 56 ½ inches, plus or minus ¼ inch. Additional ties will be plugged and respiked to correct gage to ensure there is no abrupt change in gage where ties are replaced.
  - b. All ties replaced or respiked will have new spikes. Old spikes will not be reused. Spikes shall be started and driven vertically and square with the rail. They shall have full bearing against the side of the rail base. Spikes shall not be overdriven. Ties on tangents will get four spikes per tie. Ties on curves will get six spikes per tie. The correct spiking pattern will be used on all new ties and any adjacent ties that are respiked to correct gage.
  
3. Rail Anchors
  - a. All rail anchors will be reapplied in their existing location and properly fitted against ties.
  
4. Tamping
  - a. Tie gang will tamp all newly inserted ties as they are placed in the track and ballast will be replaced at ends of ties. Tamping for tie replacement will be done as described in section 5 of these specifications.

5. Final Surfacing, Alinement and Ballast Regulating
  - a. Contractor will use a Jackson 6700, Mark IV or equivalent tamper to give the track within the designated area a "skin lift" and establish best fit for curves including appropriate spirals. Surfacing will taper into bridges and grade crossings.
  - b. Two insertions will be made for each tie.
  - c. WVCR will provide information on superelevation of curves.
  - d. When surfacing a turnout, tamping will continue for a distance of at least 100 feet onto the side track to ensure uniform surface through the turnout.
  - e. A ballast regulator will follow the tamper to regulate ballast and reshape shoulders. Contractor will place any additional ballast where it may be needed after surfacing. All curves with welded rail will have a ballast shoulder of at least 12 inches on the outside of the curve.

#### **SURFACING AND BALLAST REGULATION:**

In addition to the areas where ties are installed, there will be additional surfacing of approximately seven (7) miles. This surfacing will be at various locations along the railroad from MP 6.2 – MP 90.5

#### **TIE REPLACEMENT ON BRIDGE 28.8**

This bridge is 221 feet long and is located in Elkins, WV crossing the Tygart Valley River and Barron Avenue. Bridge is a four-span steel structure. The running rails are 115# CWR. All 194 bridge ties and 4 parapet ties are to be replaced. The bridge ties are (163) 10" x 10" x 12' and (31) 10" x 10" x 16' ties dapped to fit on the steel spans. The parapet ties are (4) 10" x 10" x 10'. All steel strap tie spacers are to be replaced with timber outer guard rail.

1. **Bridge Tie Installation:** Every third tie will be anchored to the top of the girder flanges with new, galvanized ¾" hook bolts, nuts and washers. No more than 8 to 10 ties may be removed at one time due to the CWR. New ties will be shifted to eliminate bunching that has occurred with the existing ties. Tie spacing should remain standard with current spacing. All four (4) parapet ties will be replaced.
2. **Timber Outer Guard Rail:** The timber outer guard rails shall be placed at the same location as the current metal straps. Contractor shall measure location of current straps from track center prior to removing. The timber shall be anchored to each tie with ¾" x 10" washer head drive spikes. The ¾" holes for the drive spikes shall be drilled through the guard rails only and the holes placed in alternate patterns over each tie, three inches (3") inside the edge of the timber. See attached drawing. (Attachment A) At the ends of each span, the outer guard rail shall end on the last tie of the span to allow structure expansion and shall not be connected

to the backwall or approach tie. Guard rails shall be notched in the field as necessary to clear heads of the hook bolts.

3. Inner Guard Rail: The inner guard rail on the bridge shall be re-installed as shown in the attached sketch. The rail will be spiked to each tie with two spikes per rail, without plates, and will be fully bolted.
4. Running Rails: Existing tie plates will be re-used with new ¼" thick solid neoprene (no fabric) tie pads placed between the tie plates and bridge ties. Rails will be spiked to 56 ½" gage with new, 6" cut spikes. They will be spiked to proper alinement without any irregularities. Contractor will be responsible to adjust rail as necessary to eliminate stress that develops as a result of the tie replacement. Spiking pattern will be four spikes per tie plate.
5. Walkway: The timber on the walkway will be replaced and the metal walkway re-installed. (68) 3" x 9" x 14' timbers will be cut to fit for the walkway.

**INSTALL one #8 132 lb turnout and 800 feet of track at the JF Allen Siding**

Contractor will construct 800 feet of track and one #8 turnout. The #8 132 lb turnout will connect back to the mainline which is 122# rail. Rail will be transported to the worksite by the SRA.

Crossties will not be spaced in excess of 24" centers. Ties will be handled carefully to avoid damage in accordance with AREMA specifications.

Rail will be spiked to a gage of 56 ½ inches, plus or minus ¼ inch. Spikes shall be started and driven vertically and square with rail. They shall have full bearing against the side of the rail base. Spikes shall not be overdriven. Spiking pattern shall be as shown in Attachment B.

Rail anchors will be properly fitted against the ties and will not be moved by driving them along the rail. Anchors shall be applied as shown in Attachment C. Turnouts will have all ties box anchored.

There will be six inches of ballast beneath the ties and between the ends of the ties and the slope of the ballast shoulder. Cribs will be filled but no ballast will be left on top of the ties. Ballast will be supplied by JF Allen but contractor is responsible for placing as needed.

All trackage will be lined and surfaced. Two insertions will be made per tie. Ballast will be regulated for proper shoulders.

Equipment and materials can be stored on-site.

### CONDUCT OF WORK

Train Traffic: Freight trains run from MP 0 to 29. During late winter and spring, freight trains typically operate five days a week. Excursion trains run weekends thru Memorial Day, and Thursday, Friday, Saturday and Sunday during June. Additional excursions may be scheduled during weekdays or weekends on an as needed basis. Updated schedules will be provided to the contractor by DGVR. The track must be made safe for train traffic on those days. Contractor will need to coordinate work with the Durbin & Greenbrier Valley Railroad, the operator of the WVCR. Contact for track access is Matt Reese, Superintendent at 304-636-9477 ext. 107 or 304-612-7990.

Contractor will be responsible to provide a radio or radios capable of communicating with the DGVR. The radio must be a minimum of 40 watts. The contractor can get a radio from Hammicks Radios, 304-636-6210 and have it programmed with the same frequency as the DGVR. Each work crew must be equipped with a radio.

All work will be subject to inspection by the SRA and WVCR.

The contractor will comply with all safety rules and regulations as required by the Federal Railroad Administration, WVCR and other parties as applicable.

The successful bidder will be required to have ALL employees that will be working on this project attend a ½ day class on track safety and track access. Also a mandatory preconstruction meeting will be held with all employees working on the project, the WVCR operator and their employees and a representative from the SRA. This meeting will assure that everyone understands the entire scope of work as outlined in the awarded purchase order. Also, it will be mandatory that a weekly status report be submitted to the SRA. This report will be signed by the contractor and railroad representative and will list the work completed for the week. A final inspection of all completed work will be conducted by the contractor, the DGVR and an SRA representative to assure all work is completed as stated in the specifications. Final payment will be withheld until this inspection is complete.

Contractor will use Heavy and Highway Construction Rates as established for Barbour, Randolph and Pocahontas Counties. These rates are pursuant to WV Code 21-5A, et. Seq. and are available at [www.wvsos.com/adlaw/wagerates](http://www.wvsos.com/adlaw/wagerates). Contractor will be responsible for submitting certified payrolls to the SRA.



There are sidings at Belington, Elkins, Bowden and Bemis that can be used to tie-up equipment.

Contractor will be responsible for clean up of the work site. All debris and refuse will be removed from WVCR property and disposed of properly. This includes old bridge ties, crossties, and spikes removed during this project.

### MATERIALS

For the turnout and track installation at the JF Allen siding, SRA will provide switch, switch ties, crossties, ballast, rail and tie plates. Contractor will be responsible for spikes, bolts, anchors, joint bars, comp bars and filter fabric.

Contractor will be responsible for all materials for the other projects listed above.

Bridge ties will be new (163) 10" x 10" x 12' & (31)10" x 10" x 16' Grade 1 Southern Yellow Pine, dense structural 65, creosote pressure-treated to 10# or refusal. Timber outer guard rails shall be 4" x 8" Southern Yellow Pine creosote pressure-treated to 12# or refusal.

Parapet ties will be new (4) 10" x 10" x 10' Grade 1 Southern Yellow Pine, dense structural 65, creosote pressure-treated to 10# or refusal.

Walkway lumber will be new (68) 3" x 9" x 14' treated lumber cut to fit walkway.

The contractor will prepare the dapping plans for ties installed on Bridge 28.8. These ties will be dapped to at least ½" and no more than ½" wider than flange width. Timber outer guard rails will be sized to fit each span of the bridge.

Crossties will be 7" x 9" x 8'6" industrial grade. Specifications in AREMA Chapter 3 will govern. Ties will be mixed hardwoods and oak, 100% end plated and creosote pressure treated to 7# retention or refusal.

Contractor will provide treated tie plugs and cut track spikes 5/8" x 6" per AREMA specifications.

Bolts and washers must be new and conform with AREMA specifications.

Anchors shall be the proper size for the rail to which they are applied. Anchors will be new or reformed and be compatible with industry rail anchor machines.

The 100RB rail requires 53 pairs of four-hole bars drilled.

Two pairs of 100-132 comp bars and four pairs of 122-132 comp bars.

Filter fabric for turnout will be sixteen-ounce needle punch, non woven.

### **BIDDING REQUIREMENTS**

The contractor MUST have previous experience in the replacement of railroad bridge decks, crosstie replacement, turnout installation, rail placement and track surfacing. References may be required to prove past experience.

A mandatory pre-bid meeting will be held on November 18, 2008 at 10:00 am. Everyone will meet at the Belington Yard in Belington, WV. This meeting includes an inspection trip of the portion of railroad where the work will be completed. Bidders must provide their own hy-rail equipment or make arrangements with other potential vendors to ride with them. Contractors wishing to attend should inform Frank Whittaker at 304-558-2316 by November 7, 2008. Questions prior to the prebid inspection must be submitted in writing and will be addressed at the meeting. Email - Frank.m.whittaker@wv.gov

The quantities in the RFQ are for estimating purposes only. The awarded unit price will be used to determine the cost of the actual scope of work authorized.

For bidding purposes, contractor is to give a unit cost for each item listed below. Low bid will be determined by the lowest total amount for all unit costs multiplied by the estimated quantities as listed below:

#### **Tie Replacement** (excluding gaging)

N/A

Estimated quantity 3,000 ties x unit cost \$ \_\_\_\_\_ per tie =

\$ \_\_\_\_\_

#### **Gaging** (new and respiked crossties)

Estimated quantity 2,300 ties x unit cost \$ \_\_\_\_\_ per tie =

\$ \_\_\_\_\_

#### **Surfacing/Ballast Regulation**

Estimated 7 miles x 5,280 feet/mile x unit cost \$ \_\_\_\_\_ per track foot =

\$ \_\_\_\_\_

N/A

Complete Replacement of Bridge Ties and Outer Guard Rails on Bridge 28.8

One bridge total unit cost \$ \_\_\_\_\_

Track Construction (includes all labor and joint bars, comp bars, spikes, anchors and bolts)

Estimated quantity 800 track feet x unit cost \$ \_\_\_\_\_ per T.F. =

\$ \_\_\_\_\_

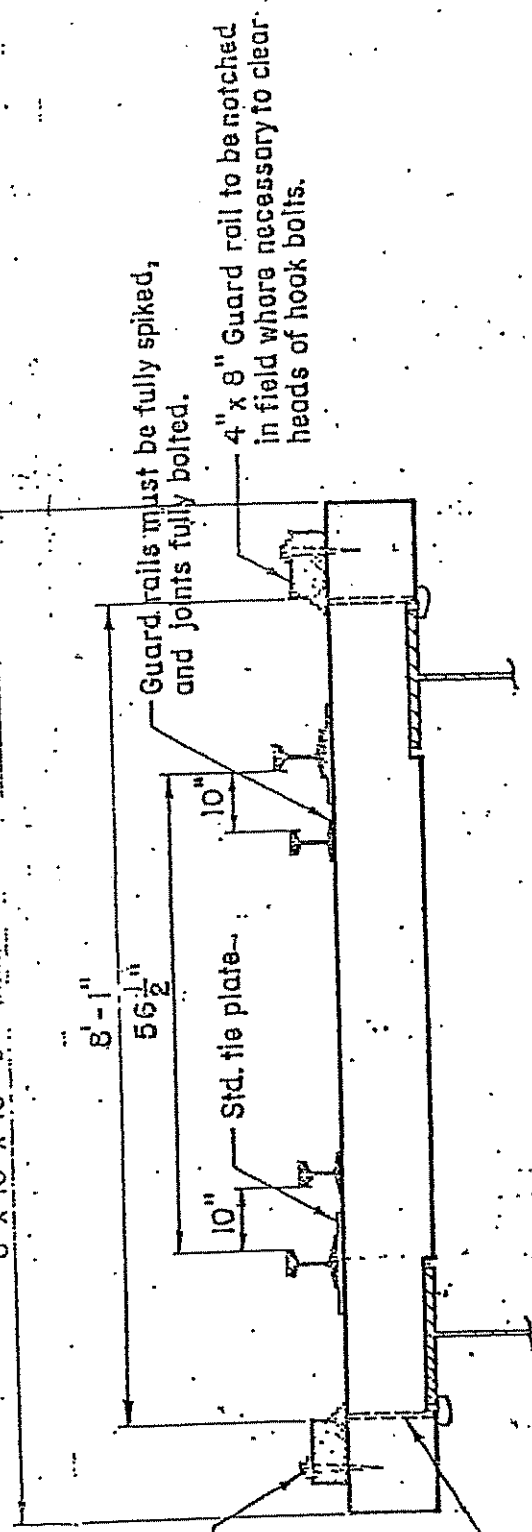
Turnout Construction (includes all labor and joint bars, spikes, anchors and bolts)

One turnout total x unit cost \$ \_\_\_\_\_ =

\$ \_\_\_\_\_

**TOTAL OF ALL ITEMS \$ \_\_\_\_\_**

8" x 10" x 10'-0" (Min. Tie Stock)



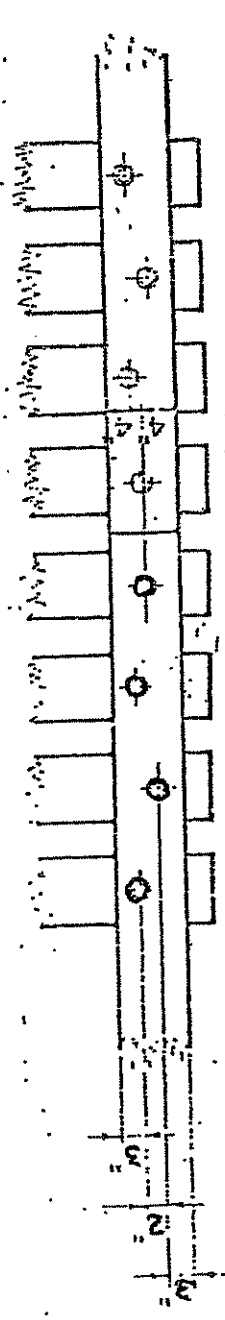
CROSS SECTION

3/4" x 8" DRIVE SPIKE OR  
3/4"  $\phi$  x 8" Galv. seal tie  
lag screw each tie.

3/4" TIE DOWN BOLT  
WITH CLIP OR  
3/4"  $\phi$  Galv. seal tie hook  
bolt every 3' tie.

Guard rails must be fully spiked,  
and joints fully bolted.

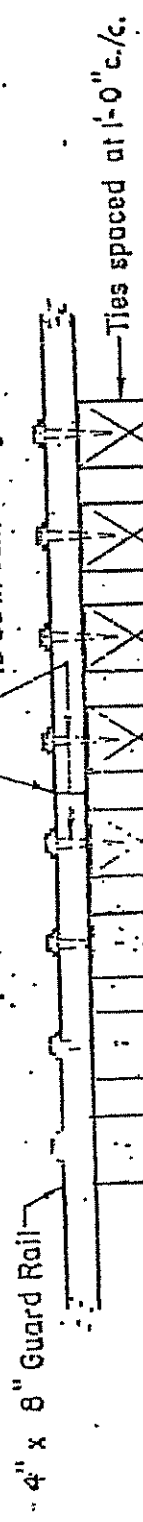
4" x 8" Guard rail to be notched  
in field where necessary to clear  
heads of hook bolts.



PART PLAN

Lag screw on each side of joint  
to be in center of guard rail.

Butt joint



ELEVATION

Ties spaced at 1'-0" c/c.

TYPICAL DETAILS  
BRIDGE TIE INSTALLATION  
STEEL BRIDGES

GUARD RAIL DETAILS

■ - TRACK SPIKE

MAIN TRACK - A TRACK, OTHER THAN AN AUXILIARY TRACK, EXTENDING THROUGH YARDS AND BETWEEN STATIONS, UPON WHICH TRAINS ARE OPERATED IN CONFORMANCE WITH RULES OR SPECIAL INSTRUCTIONS.

SIDING - AN AUXILIARY TRACK DESIGNATED IN SPECIAL INSTRUCTIONS FOR THE MEETING OR PASSING OF TRAINS.

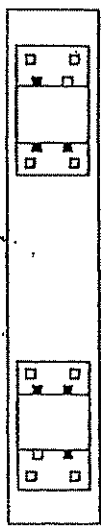
SIDE TRACK - AN AUXILIARY TRACK FOR PURPOSES OTHER THAN MEETING OR PASSING TRAINS.

TRACK TYPE, TRACK ALIGNMENT, AND SPEED AUTHORIZED	SPIKES PER TIE PLATE	SPIKING PATTERN
MAIN TRACKS AND SIDINGS		
TANGENTS AND CURVES LESS THAN 2 DEGREE WITH SPEED UP TO 45 MPH	2	A
TANGENTS AND CURVES LESS THAN 2 DEGREE WITH SPEED GREATER THAN 45 MPH	3	B
CURVES 2 DEGREE AND OVER BUT LESS THAN 6 DEGREE	4	C
CURVES OVER 6 DEGREE	5	D
SIDE TRACKS - SPEEDS UP TO 25 MPH		
TANGENTS AND CURVES LESS THAN 6 DEGREE	2	A
CURVES 6 DEGREE AND OVER BUT LESS THAN 12 DEGREE	3	B
CURVES OVER 12 DEGREE	4	C

SPIKING PATTERN "A"



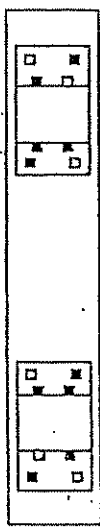
SPIKING PATTERN "B"



SPIKING PATTERN "C"



SPIKING PATTERN "D"



THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we G.W. PEOPLES CONTRACTING CO., INC.
1024 Route 519, Suite 200
Eighty Four, PA 15330
(Here insert full name and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and GREAT AMERICAN INSURANCE COMPANY
580 Walnut Street
Cincinnati, OH 45202
(Here insert full name and address or legal title of Surety)

a corporation duly organized under the laws of the State of OH
as Surety, hereinafter called the Surety, are held and firmly bound unto
(Here insert full name and address or legal title of Owner)

STATE OF WEST VIRGINIA,
2019 Washington Street, East, Charleston, WV 25305-0130
as Obligee, hereinafter called the Obligee, in the sum of

Five percent of amount bid, Dollars (\$ 5% of Amount Bid ),
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
(Here insert full name, address and description of project)
Track construction, crosstie and Bridge Tie Replacement and surfacing

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 12th day of December 2008

Witness signatures and Principal/Surety signatures with titles: G.W. PEOPLES CONTRACTING CO., INC. (Principal), GREAT AMERICAN INSURANCE COMPANY (Surety), Stella A. Adams (Witness), Michelle D. Krebs (Attorney-in-Fact)

Countersignature: Stella A. Adams, WV Non-Resident Agent
Aon Risk Services Northeast, Inc. License #474948

**GREAT AMERICAN INSURANCE COMPANY®**

**Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740**

The number of persons authorized by this power of attorney is not more than **FOUR**

No. 0 18263

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute in behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
EDWARD T. HAGINS	ALL OF	ALL
MICHELLE D. KREBS	CINCINNATI, OHIO	\$75,000.000.
MICHAEL E. DEATON		
STELLA A. ADAMS		

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **2ND** day of **MARCH**, **2007**.  
Attest **GREAT AMERICAN INSURANCE COMPANY**

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (513-412-4602)

On this **2ND** day of **MARCH**, **2007**, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is the Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated March 1, 1993.

*RESOLVED: That the Divisional President, the Divisional Senior Vice President, the several Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.*

*RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract or suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.*

**CERTIFICATION**

I, RONALD C. HAYES, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of March 1, 1993 have not been revoked and are now in full force and effect.

Signed and sealed this **12** day of **December**, **2008**



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

# Request for Quotation

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ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 RON PRICE  
 304-558-0492

VENDOR

\*511151338      724-223-7807  
 GW PEOPLES CONTRACTING COMPANY  
 1024 ROUTE 519 STE 200  
 EIGHTY FOUR PA 15330

SHIP TO

WV STATE RAIL AUTHORITY  
 (DBA) SOUTH BRANCH VALLEY  
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 26836      304-538-2305

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/13/2008				

BID OPENING DATE: 12/10/2008      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
ADD: PURCHASING AFFIDAVIT ATTACHED						
BID OPENING DATE AND TIME REMAINS 12/10/08 @1:30 P.M.						
NO OTHER CHANGES						
0001	1	JB		160-52		\$ 591,548.00
TRACK CONSTRUCTION, CROSSTIE & BRIDGE						
***** THIS IS THE END OF RFQ RMA900010 ***** TOTAL:						\$ 591,548.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Jenice McDowell</i>	Jenice McDowell	TELEPHONE 724-223-7807	DATE 12/15/08
TITLE Vice President	FEIN 25-1365856	ADDRESS CHANGES TO BE NOTED ABOVE	

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



STATE OF WEST VIRGINIA  
Purchasing Division

# PURCHASING AFFIDAVIT

**VENDOR OWING A DEBT TO THE STATE:**

*West Virginia Code* §5A-3-10a provides that: 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 owed is an amount greater than one thousand dollars in the aggregate.

**PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:**

*West Virginia Code* §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

**ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

**LICENSING:**

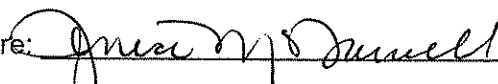
Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, 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](http://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 is in compliance with the requirements as stated.

Vendor's Name: G.W. PEOPLES CONTRACTING COMPANY, INC.

Authorized Signature:  Date: Dec. 15, 2008



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  
**RMA900010**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**RON PRICE**  
**304-558-0492**

VENDOR

\*511151338 724-223-7807  
**GW PEOPLES CONTRACTING COMPANY**  
**1024 ROUTE 519 STE 200**  
  
**EIGHTY FOUR PA 15330**

SHIP TO

**WV STATE RAIL AUTHORITY**  
**(DBA) SOUTH BRANCH VALLEY**  
**RAILROAD**  
**120 WATER PLANT DRIVE**  
**MOOREFIELD, WV**  
**26836 304-538-2305**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/02/2008				

BID OPENING DATE: **12/16/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<b>ADDENDUM NO. 2</b>						
TO REPLACE THE ORIGINAL SPECIFICATIONS WITH THE ATTACHED. ALL CHANGES FROM THE ORIGINAL ARE IN ITALIC REMOVED SECTIONS WILL BE SHOWN AS STRIKETHROUGHS						
CHANGE THE BID OPENING DATE FROM 12/10/08 TO 12/16/08 AT 1:30 PM.						
0001	1	JB		160-52	\$ 591,548.00	\$ 591,548.00
TRACK CONSTRUCTION, CROSSTIE & BRIDGE						
***** THIS IS THE END OF RFQ RMA900010 *****						TOTAL: \$ 591,548.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Janice McDowell</i>	Jenice McDowell, V.Pres.	TELEPHONE 724-223-7807	DATE 12/15/08
TITLE Vice President	FEIN 25-1365856	ADDRESS CHANGES TO BE NOTED ABOVE	

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

**Tie Replacement** (excluding gaging)

Estimated quantity 3,000 ties x unit cost \$ 95.00 per tie =  
 \$ 285,000.00

**Gaging** (new and respiked crossties)

Estimated quantity 2,300 ties x unit cost \$ 8.00 per tie =  
 \$ 18,400.00

**Surfacing/Ballast Regulation**

Estimated 7 miles x 5,280 feet/mile x unit cost \$ 1.70 per track foot =  
 \$ 62,832.00

**Complete Replacement of Bridge Ties and Outer Guard Rails on Bridge 28.8**

One bridge total unit cost \$ 127,116.00

**Track Construction (includes all labor and joint bars, comp bars, spikes, anchors, rail, tie plates and bolts)**

Estimated quantity 800 track feet x unit cost \$ 90.00 per T.F. =  
 \$ 72,000.00

**Turnout Construction (includes all labor and welds, joint bars, spikes, anchors, tie plates and bolts)**

One turnout total x unit cost \$ 26,200.00 =  
 \$ 26,200.00

**TOTAL OF ALL ITEMS \$ 591,548.00**

## Addendum #2

**This addendum will completely replace the original RFQ for RMA900010. All changes from the original will be in italics. Removed sections will be shown as strikethroughs. PLEASE READ CAREFULLY AS SOME MATERIAL REQUIREMENTS HAVE CHANGED.**

The West Virginia Purchasing Division for the agency, The West Virginia State Rail Authority is soliciting bids for track construction, crosstie and bridge tie replacement and surfacing. All work is located on the West Virginia Central Railroad (WVCR).

**DESCRIPTION OF WORK**

**3000 TIES TOTAL FOR REPLACEMENT:** MP 5 to MP 11 – 650 ties; Belington Yard MP 11.3 - 75 ties; MP 15.8 to MP 26.5 – 575 ties and MP 29.0 to MP 38.4 – 1200 ties; Dailey Branch MP 0 to MP 1 – 200 ties; ~~Norton~~ Coalton Branch MP 0.2 to MP 1.8 - 300 ties (75% of the 3000 ties are in curves)

1. Tie Replacement
  - a. Ties will be handled carefully to avoid damage in accordance with AREMA specifications.
  - b. The contractor will replace only those ties marked for replacement by WVCR. *Ties needing to be gaged will also be marked in the field.*
  - c. The contractor will remove and properly dispose of old ties. Ties must be stacked clear of tracks and must not be stacked on property other than WVCR right-of-way.
  - d. New and old ties can be stored at Belington, Elkins and Bowden until removed.
  
2. Spiking of Ties
  - a. New ties will be spiked to a gage of 56 ½ inches, plus or minus ¼ inch. Additional ties will be plugged and respiked to correct gage to ensure there is no abrupt change in gage where ties are replaced.
  - b. All ties replaced or respiked will have new spikes. Old spikes will not be reused. Spikes shall be started and driven vertically and square with the rail. They shall have full bearing against the side of the rail base. Spikes shall not be overdriven. Ties on tangents will get four spikes per tie. Ties on curves will get six spikes per tie. The correct spiking pattern will be used on all new ties and any adjacent ties that are respiked to correct gage.
  
3. Rail Anchors
  - a. All rail anchors will be reapplied in their existing location and properly fitted against ties.

**INSTALL one #8 132 lb turnout and 800 feet of track at the JF Allen Siding**

Contractor will construct 800 feet of track and one #8 turnout. The #8 132 lb turnout will connect back to the mainline *and side track with comp welds. The entire turnout except for the frog will be welded.* Rail will be transported to the worksite by the SRA. Rail & OTM for the siding is the responsibility of the contractor, 100RB as described in the materials section. The SRA will provide the turnout including the 132# rail and matching joint bars.

Crossties will not be spaced in excess of 24" centers. Ties will be handled carefully to avoid damage in accordance with AREMA specifications.

Rail will be spiked to a gage of 56 ½ inches, plus or minus ¼ inch. Spikes shall be started and driven vertically and square with rail. They shall have full bearing against the side of the rail base. Spikes shall not be overdriven. Spiking pattern shall be as shown in Attachment B.

Rail anchors will be properly fitted against the ties and will not be moved by driving them along the rail. Anchors shall be applied as shown in Attachment C. *(now attached)* Turnouts will have all ties box anchored.

There will be six inches of ballast beneath the ties and between the ends of the ties and the slope of the ballast shoulder. Cribs will be filled but no ballast will be left on top of the ties. Ballast will be supplied by JF Allen but contractor is responsible for placing as needed.

All trackage will be lined and surfaced. Two insertions will be made per tie. Ballast will be regulated for proper shoulders.

Equipment and materials can be stored on-site.

**CONDUCT OF WORK**

Train Traffic: Freight trains run from MP 0 to 29. During late winter and spring, freight trains typically operate five days a week. Excursion trains run weekends thru Memorial Day, and Thursday, Friday, Saturday and Sunday during June. Additional excursions may be scheduled during weekdays or weekends on an as needed basis. Updated schedules will be provided to the contractor by DGVR. The track must be made safe for train traffic on those days. *No train traffic will be going across the bridge at MP 28.8 until May 1, 2009 with the exception of emergency runs which will be coordinated with the contractor and DGVR.* Contractor will need to coordinate all work with the Durbin & Greenbrier Valley Railroad, the operator of the WVCR. Contact for track access is Matt Reese, Superintendent at 304-636-9477 ext. 107 or 304-612-7990.

Contractor will be responsible to provide a radio or radios capable of communicating with the DGVR. The radio must be a minimum of 40 watts. The contractor can get a

## MATERIALS

For the turnout and track installation at the JF Allen siding, SRA will provide switch, switch ties, crossties and ballast. ~~& rail and tie plates.~~ Contractor will be responsible for spikes, bolts, anchors, joint bars, comp bars, *100RB rail and tie plates.* ~~filter fabric.~~

Contractor will be responsible for all materials for the other projects listed above.

Bridge ties will be new (163) ~~10" x 10" x 12'~~ 10" x 12" x 12' & (31) ~~10" x 10" x 16'~~ 10" x 12" x 16' Grade 1 Southern Yellow Pine, dense structural 65, creosote pressure-treated to 10# or refusal. ~~Timber outer guard rails shall be 4" x 8" Southern Yellow Pine creosote pressure treated to 12# or refusal.~~

Parapet ties will be new (4) 10" x 10" x 10' Grade 1 Southern Yellow Pine, dense structural 65, creosote pressure-treated to 10# or refusal.

Walkway lumber will be new (68) 3" x 9" x 14' treated lumber cut to fit walkway. The treated lumber does not necessarily have to be creosote pressure treated.

*Walkway posts will be new (33) 3 1/2" x 5 1/2" x 58" treated lumber. Existing handrailing will be reinstalled on new posts.*

The contractor will prepare the dapping plans for ties installed on Bridge 28.8. These ties will be dapped to at least 1/2" and no more than 1/2" wider than flange width. ~~Timber outer guard rails will be sized to fit each span of the bridge.~~

Crossties (3000) will be 7" x 9" x 8'6" industrial grade. Specifications in AREMA Chapter 3 will govern. Ties will be mixed hardwoods and oak, 100% end plated and creosote pressure treated to 7# retention or refusal.

Contractor will provide treated tie plugs and cut track spikes 5/8" x 6" per AREMA specifications.

Bolts and washers must be new and conform to AREMA specifications.

Anchors shall be the proper size for the rail to which they are applied. Anchors will be new or reformed and be compatible with industry rail anchor machines.

*800 tf (1600 ft of rail) This will be 100RB relay rail AREMA Class 3 grade. Wear shall be no greater than 1/4" on top and gage side. Rail ends shall be square and shall have been saw cut. Torch cut rails will not be accepted. Rails shall be straight horizontally. Rails shall be straight vertically with no upsweep or droop permissible. Rails shall be*

*clean in appearance and free of obvious defects. Bases shall be solid and free of visual defects. Slight indentations or spike notching with a maximum depth of 1/8" and maximum length of 3/4" is permissible. Slight pitting is also allowable. Webs must be free of visual defects. Slight pitting is permissible. This is a change from the original RFQ so the contractor can easily match the rail and joint bars. Contractor will need to provide a sufficient number of joint bars for the rail provided.*

~~The 100RB rail requires 53 pairs of four~~

~~Two pairs of 100-132 comp bars and four pairs of 122-132 comp bars.~~

*Tie plates must meet AREMA specifications suitable for 100lb RB rail. They will be single shoulder with a cant of 1:40. Plate will have no less than six (6) square spike holes. Tie plates shall not be bent or have excessively worn spike holes.*

*Tie plates must meet AREMA specifications suitable for 132lb RB rail. They will be double shoulder with a cant of 1:40. Plate will have no less than six (6) square spike holes. Tie plates shall not be bent or have excessively worn spike holes.*

*Contractor is responsible for all weld kits meeting AREMA specifications.*

~~Filter fabric for turnout will be sixteen-ounce needle punch, non-woven.~~

### **BIDDING REQUIREMENTS**

The contractor MUST have previous experience in the replacement of railroad bridge decks, crosstie replacement, turnout installation, rail placement and track surfacing. References may be required to prove past experience.

A mandatory pre-bid meeting will be held on November 10, 2008 at 10:00 am. Everyone will meet at the Belington Yard in Belington, WV. This meeting includes an inspection trip of the portion of railroad where the work will be completed. Bidders must provide their own hy-rail equipment or make arrangements with other potential vendors to ride with them. ~~Contractors wishing to attend should inform Frank Whittaker at 304-558-2316 by November 7, 2008. Questions prior to the prebid inspection must be submitted in writing and will be addressed at the meeting. Email—Frank.m.whittaker@wv.gov~~

~~The quantities in the RFQ are for estimating purposes only. The awarded unit price will be used to determine the cost of the actual scope of work authorized.~~

For bidding purposes, contractor is to give a unit cost for each item listed below. Low bid will be determined by the lowest total amount for all unit costs multiplied by the estimated quantities as listed below: