

BUYER 33 304-558-2402

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.

- 4. 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.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written
- In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and 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.
- 14. 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. 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, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending verify that the vendor is licensed and in good standing with the above entities.
- 16. 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 material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. 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

5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



TITLE

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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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BUYER 33

304-558-2402 DIVISION OF HIGHWAYS

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DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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BUYER 33 304-558-2402

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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BUYER 33 304-558-2402

DIVISION OF HIGHWAYS **JOBSITE** SEE SPECIFICATIONS

RFQ COPY TYPE NAME/ADDRESS HERE

Danhill Construction Company PO Box 685 Gauley Bridge, WV 25085

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Request for Quotation

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BUYER 33 304-558-2402

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

RFQ COPY Type Name/Address Here

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Request for Quotation

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ADDRESS CORNESPONDENCE TO A DENHON OF BUYER 33
304-558-2402

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RFQ COPY TYPE NAME/ADDRESS HERE

> Danhill Construction Company PO Box 685 Gauley Bridge, WV 25085

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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Request for Quotation

08110175

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BUYER 33 304-558-2402

DIVISION OF HIGHWAYS **JOBSITE** SEE SPECIFICATIONS

RFQ COPY TYPE NAME/ADDRESS HERE

Danhill Construction Company PO Box 685 Gauley Bridge, WV 25085

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BUYER 33 304-558-2402

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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2.)	ADD AN ADDITIONATHE ATTACHED.	AL CONTRACTOR REQUI	REMENT PER	
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Request for Quotation

08110175

BUYER 33 804-558-2402

DIVISION OF HIGHWAYS JOBSITE SEE SPECIFICATIONS

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Agency	/
REQ.P.O#	08110175

BID BOND

	KNOW ALL MEI	N BY THESE PRE	SENTS, That we	e, the undersig	ned, <u>Danhil</u>	l Constructi	ion Company	
of	Gauley Bridge		West Virginia		as Principal, a	ind	Colonial Surety Co.	of
	Montvale,	New Jersey	, a corporation	organized an	d existing unde	er the laws	s of the State of	
	NJ with its	principal office in	the City of	Montvale,	as Surety, are	held and	firmly bound unto the S	State of West
Virginia	a, as Obligee, in th	e penal sum of	5 % Of Bid	Amount	(\$ 5%) for the	e payment of which, w	ell and truly to
be mad	de, we jointly and s	everally bind ourse	elves, our heirs,	administrators	s, executors, s	uccessors	and assigns.	
•								
	The Condition of	the above obligat	ion is such that v	whereas the P	rincipal has su	ubmitted to	the Purchasing Section	n of the
Depart			•		-		o enter into a contract i	_
	Construction of re	inforced concrete fo	oters, walls and fl	oors for the nev	v salt shed in Th	nomas, WV	Y	
								· · · · · · · · · · · · · · · · · · ·
	NOW THERESO	NDE						
	NOW THEREFO	,						
		hall be rejected, or hall be accepted a		shall enter into	a contract in	accordance	ce with the bid or propo	sal attached
	and shall furnish a	ny other bonds an	d insurance requ	ired by the bi	d or proposal,	and shall i	in all other respects pe	rform the
							wise this obligation sha all claims hereunder sha	
	I the penal amount				,	,		,
				ı				
							aid Surety and its bond oid, and said Surety doe	
	notice of any such						,	· · · · · · · · · · · · · · · · · · ·
	INI M/ITNESS M/	HEREOE Princina	ıl and Surety hav	re hereunto se	at their hande s	and seals	and such of them as a	re cornoratione
have e		•	•				proper officers, this	re corporations
	day of <u>March</u>		xed heredillo air	u illese prese	its to be signe	o by liten	proper officers, tris	
30	day or <u>ivial cit</u>	, 2011						
Princin	al Corporate Seal					Danhill	Construction Company	
, illioib							(Name of Principal)	<u> </u>
					Ву	Robert I	o Hill Koley t	N LL
						ROOCILI	(Must be President o	r
							Vice President)	
						Presiden	nt	
							(Title)	
Surety	Corporate Seal					Colonia	Surety company	
							(Name of Surety)	
							0	
						Roberta	Bird Killarto	Rind
						ROUGILA	Attorney-in-Fact	

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

Colonial Surety Company

Administrative Office 50 Chestnut Ridge Road Montvale, NJ 07645

CONSENT OF SURETY

State of WV, Division of Highways 2019 Washington Street East Charleston, WV 25305

RE: construction of reinforced concrete footers, walls and floor for the new salt shed in

COLONIAL SURETY COMPANY organized and existing under the laws of the Commonwealth of Pennsylvania and duly qualified to transact busin ess in the State of WV hereby agrees that **Danhill Construction Company**

Gauley Bridge, WV

has submitted a proposal on the captioned project. We hereby agree that in the event an award is made to

Danhill Construction Company

Gauley Bridge, WV

that we will provide the required performance, payment and/or maintenance bonds.

Signed and sealed this 30th day of March 2011.

COLONIAL SURETY COMPANY

Poborto Bird

(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 CC of the Commonwealth of Pennsylvania and make, constitute and appoint WV Wayne Nunziata of Montvale and the State of New Jersey it its name, place and stead, to execute, acknowledge.	having an administrative of Roberta Bird or Anthony J. Cimasko or Fr ts true and lawful Attorney(fice in Montvale, Bergen C ederick S. Gallo	ounty, NJ does by these preser Gauley Bridge				
name, place and sceau, to execute, acti	Any and All Bo	ende					
porate seal of the Company and duly attest may do in the premises. Said appointment is	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 Vic full power and authority to appoint any one the Company subject to the following provise	or more suitable persons as						
"Section I. Attorney-in-Fact. Attorney-in-F Company, to execute, acknowledge and de conditional or obligatory undertakings and thereunder, and any such instruments so ex the President and sealed and attested by the	eliver, any and all bonds, re I any and all notices and decuted by any such Attorne	cognizances, contracts, ag locuments canceling or te	reements of indemnity and other invalidations are independently in the company's liabile in the company in				
"In Witness Whereof, Colonial Surety Comparand its corporate seal to be hereto affixed the		to be signed by its June	President _, A.D., 2010.				
County of Bergen	incorporated 1930 Ansylvania	GOLONIAL SURETY COMI Wayne Nunziat	ant.				
On this 2nd day of	June	W	, in the year 2010, before n				
	Simmons	_	notary public, personally appear				
	Nunziata		known to me to be the person wi				
executed the within instrument as Pre		, on behalf of	the corporation therein named a				
A Notary Public of New Jersey	NS ersey	Huroa Juni Theresa Simmons	MMNン Notary Publi				
I, the undersigned Secretary of Colonial S copy of the Original Power of Attorney issue in force and effect.							
And I do hereby further certify that the Ce authority of the following resolution adopt and held on the 30th of January 1968, and	ed by the Board of Directo	rs of the Colonial Surety C	company at a meeting duly call				
RESOLVED, that the signature of the Sec be affixed or printed by facsimile to any ce nature and seal shall be valid and binding u	rtificate to a Power of Attor	retary of this Corporation, ney of this Corporation, ar	and the seal of Corporation, m nd that such printed facsimile s				
GIVEN under my hand and the seal of sai	id Company, at Montvale,	New Jersey this	30th day				
Original printed with 8tue and 8tack ink, For verification of the authenticity of this Power of Attorney you n for the Power of Attorney clark. Please refer to the above named bond to which the power is attached.		Hall Frederick S	5. Gallo, Secretary				

Form S-100-101 (Rev 5/10)

State of West Vuginia
County of Fagette

AND NOW, this 30th day of March, in the calendar year of 2011, 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, Roberta Bird, attorney-in-fact 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 Vugues
My Commission Expires on 8/28/2015

Notary Public in and for the

County of Fagette
State of West Virginia

OFFICIAL SEAL
Notary Public, State Of West Virginia
JESSICA VANMETER
PO Box 27

Glen Ferris, WV 25090 My Commission Expires March 28, 2015



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

STATE OF West Virginia
COUNTY OF FAJETTE TO-WIT:
I, <u>Robert D. H.CL</u> , after being first duly sworn, depose and
state as follows:
1. I am an employee of <u>Dankill Construction Co.</u> ; and, (Company Name)
2. I do hereby attest that Dankill Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.
The above statements are sworn to under the penalty of perjury.
Danhill Construction Co. (Company Name)
By: Robert D. Nell
Title: President
Date: 3-30- 2011
Taken, subscribed and sworn to before me this 30 day of Mach LOU.
By Commission expires 3/8/2015 Notary Public, State Of West Virginia JESSICA VANMETER PO Box 27 Clap Ferris WV 25090
My Commission Expires March 28, 2015 (Notary Public)

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO THE BID.

RFQ No. 08/10/75

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 owed is an amount greater than one thousand dollars in the aggregate.

"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.

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

WITNESS THE FOLLOWING SIGNATURE
Vendor's Name: Danhill Construction (o.
Authorized Signature: Robert D. Hill Date: 3-30-2011
State of West Virginia
County of Fryette, to-wit:
Taken, subscribed, and sworn to before me this 20day of March . 2011.
My Commission expires March 28, 2015.
OFFICIAL SEAL HERE Notary Public, State Of West Virginia NOTARY PUBLIC Was Vary Public, State Of West Virginia
AFFIX SEAL HERE Notary Public State JESSICA VANISLIER PO 30.2.7 Glen Ferris, WV 25090 My Commission Expires March 28, 2015