



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
 DEFK11014

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 BUYER 32
 304-558-2544

RFQ COPY
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RYCON CONSTRUCTION, INC.
 2525 LIBERTY AVENUE
 PITTSBURGH, PA 15222

DIV ENGINEERING & FACILITIES
 ARMORY BOARD SECTION

1707 COONSKIN DRIVE
 CHARLESTON, WV
 25311-1099 304-341-6368

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
08/12/2010				

OPENING DATE: 09/09/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
01	1	JB		968-20	\$2,439,990 -	2,439,990 -
<p>MODIFIED RECORD FIRING RANGE INSTALLATION</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY STATE ARMORY BOARD'S DIVISION OF ENGINEERING AND FACILITIES, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS TO PROVIDE ALL LABOR AND MATERIALS TO CONSTRUCT A MODIFIED RECORD FIRE RANGE AT CAMP DAWSON IN KINGWOOD, WV, (PRESTON CO.), PER THE FOLLOWING BID REQUIREMENTS, TERMS AND CONDITIONS, AND THE PLANS AND SPECIFICATIONS AS PREPARED BY THE BENHAM COMPANIES, LLC OF TULSA, OK.</p> <p>THE PROJECT MANUAL AND DRAWINGS ARE AVAILABLE BY CONTACTING CHARLESTON BLUEPRINT AT 1203 VIRGINIA STREET EAST, CHARLESTON, WV 25301-2908, PHONE: 304.343.1063, FAX: 304.343.1095, FOR A NON-REFUNDABLE COST OF \$127.50 + TAX FOR FULL SIZED DRAWINGS OF (22"X34") OR \$ 62.50 + TAX FOR HALF SIZED DRAWINGS OF (11"X17").</p> <p>*** SEE PRE-BID EXHIBIT IN THIS DOCUMENT</p> <p>*** QUESTIONS DUE POST PRE-BID: 8/27/10; 3:00 PM</p> <p>MANDATORY PRE-BID</p> <p>A MANDATORY PRE-BID WILL BE HELD ON 08/25/2010 AT THE RTI CENTER/CAMP DAWSON 240 ARMY ROAD, KINGWOOD, WV 26537, AT 1:30 PM. ATTENDEES WILL BE DIRECTED AT THE GATE OF THE COMPLEX TO THE BUILDING ROOM NUMBER FOR TH</p>						

2010 SEP -9 PM 1:24
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

DATE: 9/9/10 TELEPHONE: 412-392-2525

V.P. Preconstruction PERM 25-1601544 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. 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 purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** 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 unit to 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 the certification on behalf of the bidder or this bid.

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).



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ADDRESS CORRESPONDENCE TO ATTENTION OF
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PURPOSE

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SHIP TO

**DIV ENGINEERING & FACILITIES
 ARMORY BOARD SECTION**

**1707 COONSKIN DRIVE
 CHARLESTON, WV
 25311-1099 304-341-6368**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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<p>TECHNICAL PORTION OF THE MEETING PRIOR TO BEING TRANSPORTED TO THE SITE.</p> <p>INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITA</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

 V.P. Preconstruction	TELEPHONE 412-392-2525	DATE 9/9/10
FEIN 25-1601544	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>TION 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 DRUG-FREE WORKPLACE 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 DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN XXXX 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> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR PRESTON 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</p>						

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NATURE OF WORK: Preconstruction TELEPHONE: 412-392-2525 DATE: 9/9/10

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SUGGESTION

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25311-1099 304-341-6368

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<p>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>(XX) 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 THE 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>(XX) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BON COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p>						

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SIGNATURE	TELEPHONE 412-392-2525	DATE 9/9/10
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SUBJECT

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SUPPLIER

DIV ENGINEERING & FACILITIES
ARMORY BOARD SECTION

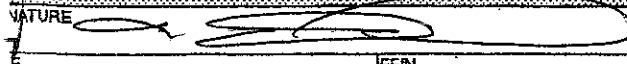
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<p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET.; SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, 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 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.</p> <p>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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE:  TELEPHONE: **412-392-2525** DATE: **9/9/10**

FEN: **25-1601544** ADDRESS CHANGES TO BE NOTED ABOVE

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**DIV ENGINEERING & FACILITIES
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<p>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.</p> <p>REV. 3/88</p> <p>PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS</p> <p>1. 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 USED IN THIS CONTRACT,</p> <p>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, ROADS 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.</p> <p>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.</p> <p>C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTA</p>						

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PURCHASING

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PURCHASING

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<p>OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.</p> <p>2. THE DIRECTOR OF THE PURCHASING DIVISION MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:</p> <p>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,</p> <p>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 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 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING</p>						

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FILE V.P. Preconstruction	FEBN 25-1601544	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(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.</p> <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>						

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NATURE V.P. Preconstruction	FEIN 25-1601544	TELEPHONE 412-392-2525	DATE 9/9/10
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304-558-2544

DIV ENGINEERING & FACILITIES
ARMORY BOARD SECTION


1707 COONSKIN DRIVE
CHARLESTON, WV
25311-1099 304-341-6368


RFQ COPY
 TYPE NAME/ADDRESS HERE

PROPOSING

SHIPPING TO

DATE PRINTED 08/12/2010	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
ID OPENING DATE: 09/09/2010	BID OPENING TIME 01:30PM			

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NOS.:						
NO. 1		8/31/10				
NO. 2						
NO. 3						
NO. 4						
NO. 5						
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE 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.						
SIGNATURE Rycon Construction, Inc.COMPANY September 9, 2010DATE						
REV. 11/96						
CONTRACTORS LICENSE						
WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
NATURE 	TELEPHONE 412-392-2525	DATE 9/9/10
E V.P. Preconstruction	FBN 25-1601544	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
DEFK11014

PAGE
10

ADDRESS CORRESPONDENCE TO ATTENTION OF
**BUYER 32
 304-558-2544**

RFQ COPY
 TYPE NAME/ADDRESS HERE

DIV ENGINEERING & FACILITIES
 ARMORY BOARD SECTION
 1707 COONSKIN DRIVE
 CHARLESTON, WV
 25311-1099 304-341-6368

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
08/12/2010				

OPENING DATE: **09/09/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE 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 LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: .. Ryeon Construction, Inc.....</p> <p>CONTRACTORS LICENSE NO.: .WV028081.....</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 RULE 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

NATURE	TELEPHONE	DATE
	412-392-2525	9/9/10
V.P. Preconstruction FEIN 25-1601544		ADDRESS CHANGES TO BE NOTED ABOVE



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

Request for Quotation

REC NUMBER
DEFK11014

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ADDRESS CORRESPONDENCE TO ATTENTION OF
BUYER 32
304-558-2544

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

BUYER

DIV ENGINEERING & FACILITIES
ARMORY BOARD SECTION

1707 COONSKIN DRIVE
CHARLESTON, WV
25311-1099 304-341-6368

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
08/12/2010				
BID OPENING DATE: 09/09/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>REV. 5/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="padding-left: 40px;">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: 32</p> <p>REQ. NO.: DEFK11014</p> <p>BID OPENING DATE: 09/09/2010</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">412-392-2526</p> <p style="text-align: center;">-----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

NATURE X	TELEPHONE 412-392-2525	DATE 9/9/10
V.P. Preconstruction	FEIN 25-1601544	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
DEFK11014

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ADDRESS CORRESPONDENCE TO ATTENTION OF
**BUYER 32
 304-558-2544**

RFQ COPY

TYPE NAME/ADDRESS HERE

RFQ COPY

**DIV ENGINEERING & FACILITIES
 ARMORY BOARD SECTION**

**1707 COONSKIN DRIVE
 CHARLESTON, WV
 25311-1099 304-341-6368**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/12/2010				

OPENING DATE: **09/09/2010** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:</p> <p>----- Kevin P. Crough -----</p> <p>***** THIS IS THE END OF RFQ DEFK11014 ***** TOTAL: _____</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

NATURE 	TELEPHONE 412-392-2525	DATE 9/9/10
V.P. Preconstruction FEIN 25-1601544		ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO REQ INSERT NAME AND ADDRESS IN SPACE ABOVE LABELLED 'VENDOR'

SECTION I - BASE BID AND ADDITIVES

Dated: September 9, 2010

(Bidder to insert date bid submitted)

SUBMITTED BY:

Rycon Construction, Inc.

(hereinafter called "Bidder")

West Virginia Contractor's License Number: WV 028081

For: **CAMP DAWSON MODIFIED RECORD FIRE (MRF) RANGE
KINGWOOD, WEST VIRGINIA**

QUALIFICATIONS FOR BIDDER:

The Bidder certifies that he has performed similar work for at least five (5) years and if requested will provide documentation on jobs and locations.

SUBMITTED TO:

The State of West Virginia *(hereinafter called "Owner")*

The Bidder, being familiar with local conditions affecting the cost of the Work and the Contract Documents, including Instructions to Bidders, Bid Form, General Conditions, Drawings, Specifications, and any Addenda or Clarifications issued, hereby proposes to furnish all material, labor, tools, taxes, transportation and expendable equipment necessary for the satisfactory and complete renovation of the Modified Record Fire (MRF) Range at Camp Dawson per the design documents at Camp Dawson Collective Training Center, Kingwood, WV in every detail, all in full accordance with, and in conformity to, the Contract Documents, for the stipulated sums as follows:

BASE BID:

For the Sum of: Two million Four Hundred Thirty Nine thousand
Nine Hundred Ninety and XX/100 — (\$2,439,990)

(The Base Bid is the summation of items as specified in Section II of the Revised Bid Form.)

ADDITIVES:

The stated Base Bid is subject to the following additions or deductions for Additives which the Owner may select. ('Provide' means 'furnish and install.' Include in bids below all related coordination and modification requirements associated with the Work of each Additive.)

Additives

ADD the sum of: Three Million One Hundred Sixty -
Four thousand and xx/100 (\$3,164,000)

If awarded contract on Base Bid, I (we) agree to perform the work to completion and ready for operation and use no later than 400 calendar days from Notice to Proceed. Total liquidated damages are \$400.00 first day and \$250.00 per day thereafter for work not completed after contract completion date.

For the purpose of this contract, one calendar day is counted from midnight to midnight and also any part of that 24-hour day period shall be counted as one calendar day.

The Bidder certifies that this bid has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this bid with any other bidder or with any competitor. The Bidder agrees that the Owner reserves the right to reject any or all bids, and to waive any formalities in the bidding. The Bidder agrees that this bid shall be good and binding and may not be withdrawn for a period of 90 days.

The Bidder acknowledges receipt of the following Addenda: (Please list by number and date.)

#1 - 8/31/10

SIGNATURE OF BIDDER:

Firm: Rycon Construction, Inc.

By: 

Address: 2525 Liberty Avenue

Title: V. P. Preconstruction Services

Address: Pittsburgh, PA 15222

Phone: 412-392-2525

Address: _____

Fax: 412-392-2526

Tax Cert #: 25-1601544

END OF SECTION I

SECTION II - BID ITEMS AND UNIT COSTS

The costs indicated below are included in, and are a breakdown of, the Base Bid. In the event the total segregated prices shown below differ from the Base Bid indicated above, the Base Bid will govern.

In the event that unit quantities stated below differ from quantities required for completion of the Work, unit costs as stated below shall be the basis of adjustments in Contract Sum, in accordance with Contract Conditions, General Provisions, Section 012200-Unit Prices and Section 012600-Contract Modification Procedures.

SITE WORK

NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	MOBILIZATION/ DEMOBILIZATION	LS.	1	84,930-	84,930 -
2	GENERAL CONSTRUCTION ADMINISTRATION	LS.	1	171,180	171,180 -
3	QUALITY CONTROL	LS.	1	55,500-	55,500 -
4	CLEARING AND GRUBBING	AC.	37	1,960 -	72,520 -
5	EROSION AND SEDIMENT CONTROL	LS.	1	46,860-	46,860 -
6	SEEDING	AC.	33	1,667-	55,011 -
7	EXCAVATION - UNCLASSIFIED (ON SITE)	CY.	14,500	5.00	72,500 -
8	FILL - UNCLASSIFIED (ON SITE)	CY.	14,500	6.00	87,000 -
9	BORROW (OFF SITE)	CY.	49,500	9.80	485,100 -
10	STRUCTURAL FILL	CY.	525	4.75	2,494 -
11	ONE MAN FIGHTING POSITION	EA.	16	5,000 -	80,000 -
12	STATIONARY INFANTRY TARGET EMPLACEMENT (SIT)	EA.	144	2,192	315,648 -
13	RANGE FLAG POLE	EA.	1	8500 -	8500 -
14	24' LOCKABLE - DOUBLE SWING POLE GATE	EA.	2	5500 -	11,000 -
15	LANE MARKERS (4'x4', 4'x8')	LS.	1	16,685-	16,685 -
16	CRUSHED AGGREGATE (12-INCH THICK)	TON	6,580	30.00	197,400 -
17	CRUSHED AGGREGATE (8-INCH THICK)	TON	2,420	30.00	72,600 -
18	CRUSHED AGGREGATE (4-INCH THICK)	TON	110	38.00	4,180 -
19	30" CORRUGATED HDPE PIPE	LF.	257	50.00	12,850 -
20	24" CORRUGATED HDPE PIPE	LF.	52	36.00	1,872 -
21	18" CORRUGATED HDPE PIPE	LF.	265	25.00	6,625 -
22	15" CORRUGATED HDPE PIPE	LF.	115	20.00	2300 -
23	4' ID MANHOLE	EA.	1	4,000-	4,000 -
24	AREA INLETS	EA.	4	2500 -	10,000 -
25	30' FLARED END SECTION	EA.	4	950 -	3800 -
26	24' FLARED END SECTION	EA.	1	600 -	600 -
27	18' FLARED END SECTION	EA.	4	550 -	2200 -
28	30" CONCRETE HEADWALL	EA.	4	3025-	12,100 -
29	24" CONCRETE HEADWALL	EA.	1	2300 -	2300 -
30	18" CONCRETE HEADWALL	EA.	2	6,250 -	12,500 -
31	RIP RAP APRON	CY.	45	75.00	3,375 -
32	CONCRETE FILLED PIPE (BOLLARDS)	EA.	12	275.00	3300 -
				SUBTOTAL	1,916,930 -

SECTION II - BID ITEMS AND UNIT COSTS

UTILITIES

						73,213 -	73,213 -
33	ELECTRICAL SERVICE (TO SUPPORT AREA AND CONTROL TOWER)	LS	1	73,213 -	*		
34	SITE LIGHTING AT FIRING LINE	LS	1	86,375 -		86,375 -	
35	COMMUNICATIONS (TO SUPPORT AREA AND CONTROL TOWER)	LS	1	87,944 -		87,944 -	
						SUBTOTAL	\$247,532 -

BUILDINGS

36	RANGE CONTROL TOWER	LS	1	275,528 -		275,528 -	
						SUBTOTAL	275,528 -
						BID TOTAL	<u>2,439,990 -</u>

ALTERNATE BID ITEMS

NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL
37	GENERAL INSTRUCTION BUILDING (ALT. BID NO. 1)	LS.	1	\$149,000 -	149,000 -
38	MESS SHELTER (ALT. BID NO. 2)	LS.	1	130,000 -	130,000 -
39	BLEACHER ENCLOSURE (ALT. BID NO. 3)	LS.	1	111,000 -	111,000 -
40	AMMO BREAKDOWN BUILDING (ALT. BID NO. 4)	LS	1	73,000 -	73,000 -
41	OPERATIONS / STORAGE BUILDING (ALT. BID NO. 5)	LS	1	149,000 -	149,000 -
42	LATRINE (ALT. BID NO. 6)	LS	1	72,000 -	72,000 -
43	SITE ACCESS ROAD (STA. 0+40 TO STA. 16+80) - (ALT. BID NO. 7)	LS.	1	205,000 -	205,000 -
44	DOWN RANGE POWER AND DATA DIRECT BURIED (ALTERNATE BID ITEM NO. 8)	LS.	1	999,000 -	999,000 -
45	DOWN RANGE POWER AND DATA IN CONDUIT (ALTERNATE BID ITEM NO. 9)	LS.	1	1,184,000 -	1,184,000 -
46	SPARE CONDUITS (ALTERNATE BID ITEM NO. 10)	LS.	1	92,000 -	92,000 -

ADDITIVE BID ITEMS TOTAL \$3,164,000 -



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

STATE OF Pennsylvania

COUNTY OF Allegheny, TO-WIT:

I, Kevin P. Crough, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Rycon Construction, Inc.; and,
(Company Name)
- 2. I do hereby attest that Rycon Construction, Inc.
(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.

Rycon Construction, Inc.

(Company Name)

By:

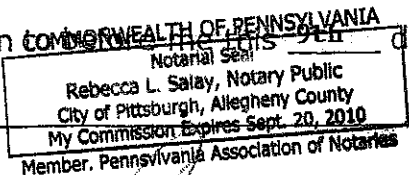
Title: Vice President Preconstruction Services

Date: September 9, 2010

Taken, subscribed and sworn to before me on this 9th day of September, 2010

By Commission expires

(Seal)



(Notary Public)

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

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.

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 exceeds 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: Rycon Construction, Inc.

Authorized Signature: [Signature] Date: 9/9/10

State of Pennsylvania

County of Allegheny, to-wit:

Taken, subscribed, and sworn to before me this 9 day of September, 2010.

My Commission expires _____, 20____.

Notarial Seal
COMMONWEALTH OF PENNSYLVANIA
Rebecca L. Salsy, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Sept. 20, 2010
Member, Pennsylvania Association of Notaries

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]

AIA[®] Document A305[™] – 1986

Contractor's Qualification Statement

The Undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading.

SUBMITTED TO: State of West Virginia, Department of Administration
Purchasing Division

ADDRESS: 2019 Washington Street East
Charleston WV 25305-0130

SUBMITTED BY: Rycon Construction, Inc.

NAME: Todd A. Dominick

ADDRESS: 2525 Liberty Avenue, Pittsburgh PA 15222

PRINCIPAL OFFICE: Same as above

- Corporation
- Partnership
- Individual
- Joint Venture
- Other

NAME OF PROJECT (if applicable): Camp Dawson Modified Record Fire Range (MRFR)

TYPE OF WORK (file separate form for each Classification of Work):

- General Construction
- HVAC
- Electrical
- Plumbing
- Other (please specify) Carpentry/Drywall/Acoustical

§ 1. ORGANIZATION

§ 1.1 How many years has your organization been in business as a Contractor?
21 years

§ 1.2 How many years has your organization been in business under its present business name?
21 years

§ 1.2.1 Under what other or former names has your organization operated?
None

§ 1.3 If your organization is a corporation, answer the following:

§ 1.3.1 Date of incorporation: 04/27/89

§ 1.3.2 State of incorporation: Pennsylvania

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

This form is approved and recommended by the American Institute of Architects (AIA) and The Associated General Contractors of America (AGC) for use in evaluating the qualifications of contractors. No endorsement of the submitting party or verification of the information is made by AIA or AGC.

§ 1.3.3 President's name: CEO/Secretary - Todd A. Dominick, COO/President - William J. Taylor

§ 1.3.4 Vice-president's name(s) Kevin P. Crough, VP of Preconstruction
Lou F. Ferraro, VP of Operations
Stephen D. Kosmer, VP of Special Projects

§ 1.3.5 Secretary's name: Todd A. Dominick

§ 1.3.6 Treasurer's name: Michele J. Dominick

§ 1.4 If your organization is a partnership, answer the following: N/A

§ 1.4.1 Date of organization:

§ 1.4.2 Type of partnership (if applicable):

§ 1.4.3 Name(s) of general partner(s)

§ 1.5 If your organization is individually owned, answer the following: N/A

§ 1.5.1 Date of organization:

§ 1.5.2 Name of owner:

§ 1.6 If the form of your organization is other than those listed above, describe it and name the principals: N/A

§ 2. LICENSING

§ 2.1 List jurisdictions and trade categories in which your organization is legally qualified to do business, and indicate registration or license numbers, if applicable.

PA: N/A	WV: WV028081	IL: N/A	AL: 042035	NY: N/A	IN: N/A	KS: N/A	WI: N/A
CT: N/A	VA: 2705-049033A	MI: N/A	DE: 2006208600	NJ: N/A	KY: N/A	MA: N/A	GA: N/A
OH: N/A	MD: 03195253	SC: G112718	TN: 00058925	MN: N/A	NC: 45628	FL: CGC1513641	

§ 2.2 List jurisdictions in which your organization's partnership or trade name is filed.

Pennsylvania, Connecticut, Ohio, West Virginia, Virginia, Maryland, Illinois, Michigan, South Carolina, Alabama, Delaware, Georgia, New York, New Jersey, Minnesota, Indiana, Kentucky, North Carolina, Kansas, Massachusetts, Florida, Wisconsin, Tennessee

§ 3. EXPERIENCE

§ 3.1 List the categories of work that your organization normally performs with its own forces.

Demolition	Rough & Finish Carpentry
Earthwork	Drywall
Concrete	Ceilings

§ 3.2 Claims and Suits. (If the answer to any of the questions below is yes, please attach details.)

§ 3.2.1 Has your organization ever failed to complete any work awarded to it?

No

§ 3.2.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?

No

§ 3.2.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years?

Yes, see attached details.

§ 3.3 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details.) No

§ 3.4 On a separate sheet, list major construction projects your organization has in progress, giving the name of project, owner, architect, contract amount, percent complete and scheduled completion date.

See attached list.

§ 3.4.1 State total worth of work in progress and under contract:

Approximately \$61,182,000

§ 3.5 On a separate sheet, list the major projects your organization has completed in the past five years, giving the name of project, owner, architect, contract amount, date of completion and percentage of the cost of the work performed with your own forces.

See attached list.

§ 3.5.1 State average annual amount of construction work performed during the past five years:

Well over \$97 million

§ 3.6 On a separate sheet, list the construction experience and present commitments of the key individuals of your organization.

See attached resumes.

§ 4. REFERENCES

§ 4.1 Trade References:

Davis Fetch Corporation of PA
743 Ross Ave., Pittsburgh PA 15221
412-242-5410

Atlas Wholesale Supply
530 Bell Ave., Carnegie PA 15106
412-276-9200

Ceiling Systems Distributors
100 Union St., Bridgeville PA 15017
412-221-2280

§ 4.2 Bank References:

First Niagara Bank, 11 Stanwix Street, Pittsburgh PA 15222
Contact: Roy Martin, Vice President, 412-807-2784, roy.martin@fnfg.com

§ 4.3 Surety:

§ 4.3.1 Name of bonding company:

Fidelity and Deposit Company of Maryland

§ 4.3.2 Name and address of agent:

Construction Insurance Consultants
P.O. Box 6761, Pittsburgh PA 15212
Contact: John Prim, 412-322-5200

§ 5. FINANCING

§ 5.1 Financial Statement.

§ 5.1.1 Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items: Available upon request.

Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepaid expenses);

Net Fixed Assets;

Other Assets;

Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries and accrued payroll taxes);

Other Liabilities (e.g., capital, capital stock, authorized and outstanding shares par values, earned surplus and retained earnings).

§ 5.1.2 Name and address of firm preparing attached financial statement, and date thereof:

David A. Cormany & Associates, P.O. Box 18263, Pittsburgh PA 15236

§ 5.1.3 Is the attached financial statement for the identical organization named on page one?

N/A

§ 5.1.4 If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).

N/A

§ 5.2 Will the organization whose financial statement is attached act as guarantor of the contract for construction?

Yes

§ 6. SIGNATURE

§ 6.1 Dated at this 8th day of September 2010

Name of Organization: Rycon Construction, Inc.

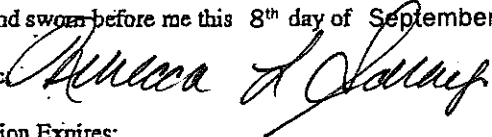
By:  Todd A. Dominick

Title: CEO/Secretary

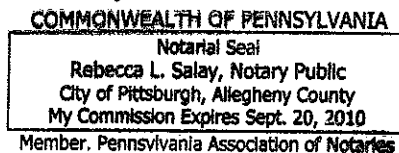
§ 6.2

M . . . being duly sworn deposes and says that the information provided herein is true and sufficiently complete so as not to be misleading.

Subscribed and sworn before me this 8th day of September 2010

Notary Public 

My Commission Expires:



CLAIMS AND SUITS

- 1) Rycon filed suit against West Mifflin Area School District in April of 2006 over the balance of retainage (\$121,799.26) which has been due Rycon since August 11, 2002 on the \$30 million addition and renovation of their senior high school. The District believes Rycon owes them some remedial work, Rycon believes we have gone above and beyond our contractual obligations. The suit was subsequently settled out of court with Rycon receiving the majority of the balance owed. The point of contact with the Owner is the School District's solicitor, Jack Cambest (412) 243-1600.
- 2) Rycon filed for arbitration in February 2007 against the Rubinoff Company and an LLC they were directly affiliated with due to the non-payment of a contract balance of approximately \$460,000. The reason stated for the non-payment was that "the financing ran short" and it was their intention to refinance and pay the balance. Several months later no financing package was in place and the owner was now indicating a dramatic and arbitrary reduction in the \$460,000 balance would be necessary to achieve any type of financing. At that point Rycon had a "fiduciary obligation" to its subcontractors as well as itself to protect the rights of all parties awaiting payment and filed for arbitration. In the middle of September 2007 the property was sold, financing established and Rycon accepted a settlement of 97.4% of the contract balance.
- 3) Rycon filed for arbitration against Elteq Management Company in July of 2007 for the non-payment of a contract balance of \$70,588.31. This action resulted from a sprinkler head activating in the middle of the night, while no one was around, in a tenant space Rycon was renovating in an Elteq managed property. Liability lies between a possibly defective head or the involvement of someone setting it off who should not have been in the building at the time. This is basically an insurance issue and Rycon found it necessary to file suit to "pull the insurance companies off the sidelines" and into the active resolution of the issues.

Project Name & Owner	Architect	Contract Amount	% Complete	Scheduled Completion Date
UPMC Presbyterian Infill Emergency Dept & Cupola	Burt Hill	\$13,500,000	70%	04/05/11
West Virginia Army National Guard Camp Dawson Multi-Purpose Center	Assemblage Architects	\$8,500,000	15%	04/20/11
UPMC Mercy Hospital Emergency Dept	GBBN Architects	\$8,000,000	55%	02/29/12
Aetos Construction Giant Eagle Store #678 Indiana, PA	D L Astorino Horizon	\$7,000,000	80%	10/22/10
University of Pittsburgh Chevron Science Center 5th Floor	R3 Architects	\$3,500,000	5%	05/01/11
Monongalia County School District Cheat Lake Elementary School	Alpha Associates Inc.	\$3,500,000	80%	12/15/10
Armstrong Development CVS Store #04144	Norr, LLC	\$3,032,000	25%	11/29/10
Dick's Sporting Goods Huron Properties	Herschman Architects	\$2,900,000	15%	10/04/10
Third Street Renaissance LP Third Street Renaissance Bldg.	Pfaffmann & Associates	\$1,880,000	95%	10/04/10
Dick's Sporting Goods Fairless Hills Shopping Center	MJM Architects	\$1,700,000	60%	10/26/10
UPMC Presbyterian Patient Destination	Burt Hill	\$1,400,000	90%	10/12/10
TOTAL OF MAJOR PROJECTS IN PROGRESS (LISTED ABOVE)		\$54,912,000		
TOTAL OF ALL OTHER PROJECTS IN PROGRESS		\$6,270,000		
TOTAL OF ALL PROJECTS IN PROGRESS		\$61,182,000		

Owner Project Name	Architect	Contract Amount	Completion Date	% Done by Own Forces
Washington & Jefferson College John Swanson Science Center New Construction	Einhorn Yaffee & Prescott	\$26,667,000	01/15/10	15%
Oxford Development Reed Smith, LLP Office Fitout	WTW / Gensler	\$19,460,000	08/03/09	10%
UPMC Children's East Pavilion	Astorino	\$15,460,000	07/15/08	10%
Horizon Properties Southpointe II Lot 1 New Construction	Gerard Associates	\$10,182,000	01/16/09	20%
CVS Caremark CVS Caremark Office Fitout	Gensler	\$8,216,800	09/30/09	10%
PREIT Services, LLC Dick's Sporting Goods Magnolia Mall Renovations	Create Architecture	\$7,864,000	02/01/08	10%
Aetos Construction Giant Eagle #43 Store Construction	McCormick	\$7,719,170	02/13/09	15%
Economic Growth Connection Westmoreland Courthouse Addition & Renovations	Strada Architecture	\$7,700,000	06/29/07	15%
Carnegie Mellon University Super Computing Center Renovations	Edge Studio	\$7,250,000	03/03/06	15%
County of Butler Butler County Prison New Construction	L. Robert Kimball	\$6,850,000	05/15/09	15%
Oxford Development Highmark, Inc. Phase III Renovations	Astorino	\$6,750,000	11/02/09	10%

continued

Owner Project Name	Architect	Contract Amount	Completion Date	% Done by Own Forces
Highmark, Inc. Highmark Phase I & II Renovations Camp Hill, PA	Astorino	\$6,700,000	07/31/07	15%
Alleg. County Airport Authority Pittsburgh Int'l Airport Snow Removal Shed	PBSJ	\$6,350,000	11/15/08	10%
UPMC UPMC Imaging Renovations Montefiore Hospital	Burt Hill	\$5,300,000	08/15/07	20%
Allegany County H.R. Develop. Commission Cumberland Community Ctr.	Moshier Studio	\$5,135,000	10/23/09	10%
Oxford Development Monroeville Convention Ctr.	Design 3 Architecture	\$5,000,000	07/31/09	20%

**EDUCATION**

Carnegie Mellon University • B.S. Civil Engineering

PROFESSIONAL HISTORY

2008 - Present Rycon Construction, Inc • Chief Executive Officer • Pittsburgh PA

1989 - 2007 Rycon Construction, Inc • President • Pittsburgh PA

Todd, along with William Taylor, founded Rycon Construction in 1989. The first year, Rycon completed approximately 1.5 million dollars of work. Since then, Todd and Bill have developed an organization with 50 full-time office employees which has successfully completed over \$1 billion of work.

1984 - 1989 John R. Hess • Project Manager • Pittsburgh PA

1982 - 1984 John R. Hess • Estimator • Pittsburgh PA

1981 - 1982 Ragnar Benson, Inc • Project Engineer / Estimator • Pittsburgh PA

1979 - 1981 Massaro Corporation • Project Engineer / Estimator • Pittsburgh PA

PROJECTS OF NOTE

- 300 Oxford Drive Office Building • Monroeville PA
- Bayer Corporation Building 14 • Pittsburgh PA
- Wilson School Addition • West Allegheny PA
- Dick's Clothing & Sporting Goods Store • South Hills Village PA
- HealthAmerica • Cherrington Corporate Center
- Edgewood Towne Centre Retail Construction • Edgewood PA
- Moraine Pointe Plaza • Butler PA

MEMBERSHIPS

- Licensed Professional Engineer • State of Pennsylvania
- General Contractors Association of Pennsylvania • Board of Governors
- Master Builders Association • Board of Trustees
- Pittsburgh Public Theater • Board of Trustees • Secretary

REFERENCES

- Eric Cartwright, Associate Vice President • UPMC • 412-647-0896
- Scott Pollock, Vice President of Development • Oxford Development Company • 412-261-1500
- Richard Bamburak, Principal • WTW Architects • 412-321-0550



EDUCATION

Carpenters Joint Apprenticeship Program

PROFESSIONAL HISTORY

- 2008 - Present Rycon Construction, Inc • President / C.O.O. • Pittsburgh PA
- 1989 - 2007 Rycon Construction, Inc • Executive Vice President • Pittsburgh PA
Along with Todd Dominick founded Rycon Construction in 1989. The first year, Rycon completed approximately \$1.5M of work. Since then, Bill and Todd have developed an organization with 50 full-time office employees which has successfully completed over \$1 billion of work.
- 1987 - 1989 John R. Hess • Director of Interiors Group • Pittsburgh PA
- 1985 - 1987 John R. Hess • Project Superintendent • Pittsburgh PA
- 1980 - 1985 Specialty Interiors • Interiors Superintendent • Pittsburgh PA
- 1978 - 1980 Schneider, Inc • Carpenter Foreman • Pittsburgh PA
- 1975 - 1978 Taylor Construction Company • Owner • Pittsburgh PA
- 1972 - 1975 Richmark Homes • Carpenter • Pittsburgh PA

PROJECTS OF NOTE

- BioMed Unit & School of Nursing • Shadyside Hospital • Pittsburgh PA
- UPMC Children's Hospital East Pavilion • Pittsburgh PA
- Heart Center, Emergency Room & Psychiatric Wing • Pittsburgh PA
- Kaufmann's Department Store • South Hills Village PA
- UPMC Posner Tower • Pittsburgh PA

MEMBERSHIPS

- Carpenter's Joint Apprentice & Training Advisory Committee of Greater PA
- MBA/Carpenter Joint Study Committee
- United Brotherhood of Carpenters

REFERENCES

- John Mele • Ciminelli Group • 716-631-8000
- Scott Pollock, Vice President of Development • Oxford Development • 412-261-1500
- Pat Branch, P.E. • Branch Engineers • 724-778-9477

**EDUCATION**

Catholic University of America • Master's Program • School of Architecture
University of Notre Dame • Bachelor of Arts Degree • School of Architecture

PROFESSIONAL HISTORY

1997 - Present Rycon Construction, Inc • Vice President, Preconstruction Services • Pittsburgh PA
1995 - 1997 Rycon Construction, Inc • Chief Estimator • Pittsburgh PA
1991 - 1995 Coleman & Wood, Inc • VP, Preconstruction, Estimating/Business Development • Rockville MD
1989 - 1991 Edward M. Crough, Inc • Vice President, Preconstruction Services • Rockville MD
1987 - 1989 Edward M. Crough, Inc • Corporate Secretary & Chief Estimator • Rockville MD
1982 - 1987 Edward M. Crough, Inc • Assistant Vice President in charge of Estimating • Rockville MD
1980 - 1982 Century Construction Company • Deputy Estimator/Assistant Project Manager • Washington DC

PROJECTS OF NOTE**UNIVERSITY**

- W & J College John A. Swanson Science Center
- North Residence Village • Catholic University of America
- Vitreous State Laboratory • Catholic University of America
- North Strabane Intermediate School
- CMU First Year Residence Hall
- CMU Supercomputing Center

RETAIL

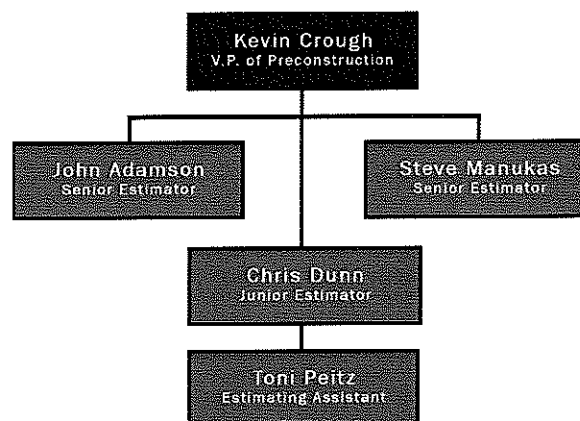
- Village Square Shopping Center
- Kaufmann's Department Stores
- Sam's & Wal-Mart Stores
- The Home Depot
- Dick's Sporting Goods
- Dingbats/Barnes & Noble

OFFICE

- FBI Headquarters Building
- Reed Smith at 3 PNC Plaza
- Westmoreland County Extension Building
- Marriott Data Center
- Cranberry Woods
- Drug Enforcement Administration Building

MEDICAL

- UPMC Shadyside Posner Tower Addition
- UPMC Moon Health Center
- UPMC Primary Care Facility
- UPMC St. Margaret's
- Suburban Hospital ER Additions & Renovations
- UPMC Presbyterian ED Expansion & Renovation

ESTIMATING GROUP ORGANIZATIONAL CHART**CERTIFICATION**

- Leadership in Energy and Environmental Design (LEED) • 2.0 Accredited Professional

MEMBERSHIPS

- American Society of Professional Estimators • Past Vice-President
- Construction Management Association of America • Member

PROFESSIONAL REFERENCES

Phil Hundley, Principal • DRS Architects • 412-391-4850
David Heaton, Assistant VP of Development • Oxford Development Company • 412-261-1500
Bruce Knepper, Principal • Burt Hill • 724-477-1275



EDUCATION

Pennsylvania State University • Bachelor of Architectural Engineering/Construction Mgmt

PROFESSIONAL HISTORY

- 2006 - Present Rycon Construction, Inc • Vice President of Operations • Pittsburgh PA
- 2002 - 2006 Turner Construction, Inc • Project Executive • Pittsburgh PA
- 1982 - 2001 Turner Construction, Inc • Project Manager • Pittsburgh PA

PROJECTS OF NOTE

UNIVERSITY

- Carnegie Mellon University • University Center
- University of Pittsburgh • BioMedical Science Tower
- Carnegie Mellon University • Purnell Center for Performing Arts
- Carnegie Mellon University • Software Engineering Institute
- Carnegie Mellon University • Graduate School of Industrial Administration
- Penn State University • Behrend College • Perry and Senat Halls
- Carnegie Museum of Art • Gallery 1-11 Renovations
- Penn State University • Blue Band and Hazmat Facilities
- Carnegie Mellon University • Tennis Courts
- Carnegie Museum of Art • Gallery 12 Renovations
- Carnegie Museum of Natural History • Traveling Exhibit Gallery
- W&J College • John A. Swanson Science Center

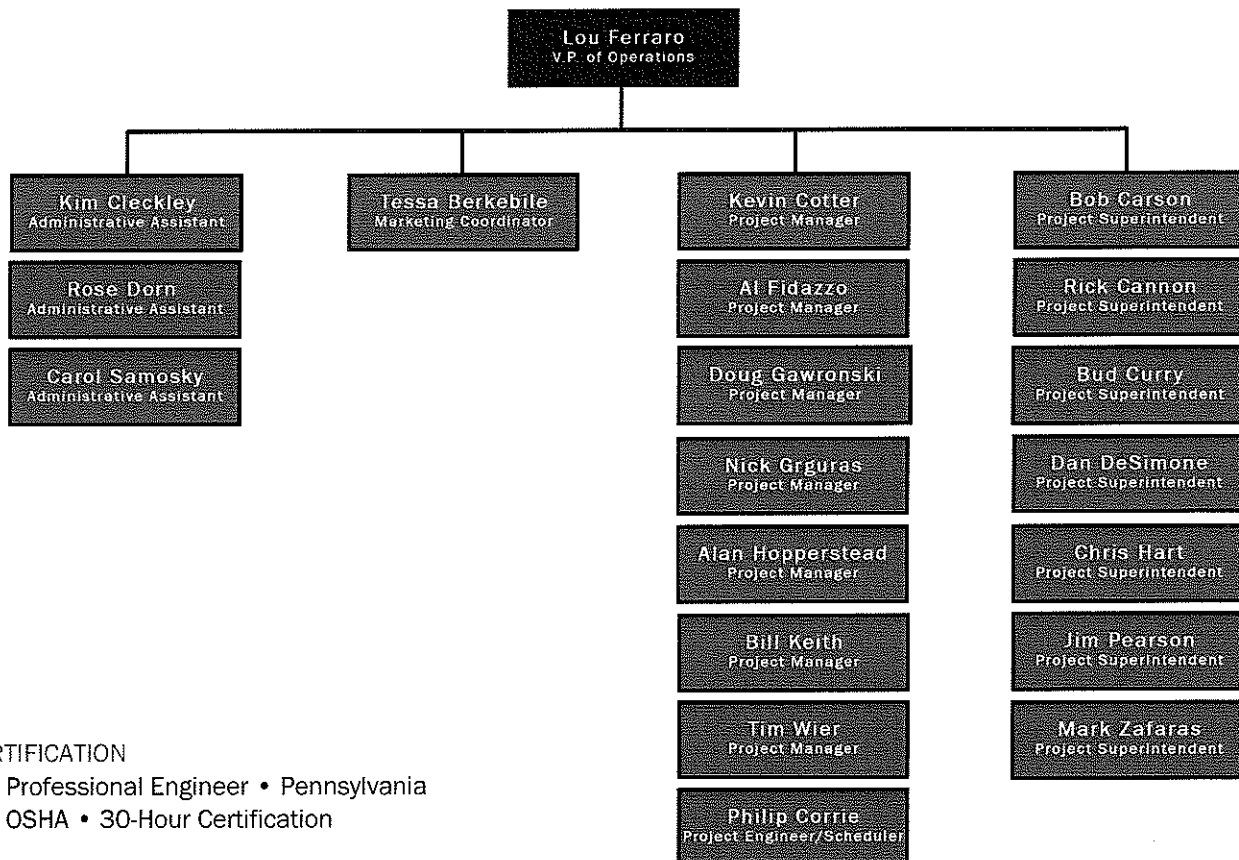
MEDICAL

- UPMC Children's Hospital East Pavilion
- UPMC Shadyside • Professional Office Building
- UPMC Shadyside • Parking Garage
- UPMC Presbyterian • ED Expansion & Reno

OFFICE

- ALCOA Headquarters
- One Oxford Centre
- K & L Gates
- Bridgeside Point Office Building

BUILDING GROUP ORGANIZATIONAL CHART



CERTIFICATION

- Professional Engineer • Pennsylvania
- OSHA • 30-Hour Certification

PROFESSIONAL REFERENCES

- Joe Greenaway, Director of Construction • Carnegie Mellon University • 412-268-6823
- Joel Bernard, AIA, Principal • IKM, Inc • 412-281-1337
- Doug Kyle, Executive Vice President, Retail Development • Armstrong Development • 412-381-1122



EDUCATION

CCAC South Campus • Associates Degree • Construction Management

PROFESSIONAL HISTORY

- 2007 - Present Rycon Construction, Inc • Vice President, Special Projects • Pittsburgh PA
- 2004 - 2007 Rycon Construction, Inc • Director of Special Projects • Pittsburgh PA
- 1999 - 2004 Rycon Construction, Inc • Project Manager • Pittsburgh PA
- 1994 - 1998 Smith Baron, Inc • Project Manager/Estimator • Pittsburgh PA
- 1990 - 1994 Alfred Cincala Design Building, Inc • Project Manager/Estimator • Pittsburgh PA
- 1988 - 1990 Repal Construction • Assistant Project Manager • Monroeville PA

PROJECTS OF NOTE

OFFICE

- Ketchum Renovation
- Alpern Rosenthal • Heinz 57 Center
- DQE • Cherrington Corporate Center
- Crum & Forster • 2 Renovations
- The Crane Building
- Pietragallo, Bosick & Gordon

MEDICAL

- UPMC Shadyside • 2 Locations
- UPMC Presbyterian • Gamma Knife III
- UPMC Presbyterian • 9-11th Floors
- Westmoreland Hospital • CT Scan Renovations
- Highmark Healthplace
- Jefferson Regional Medical Center • MRI

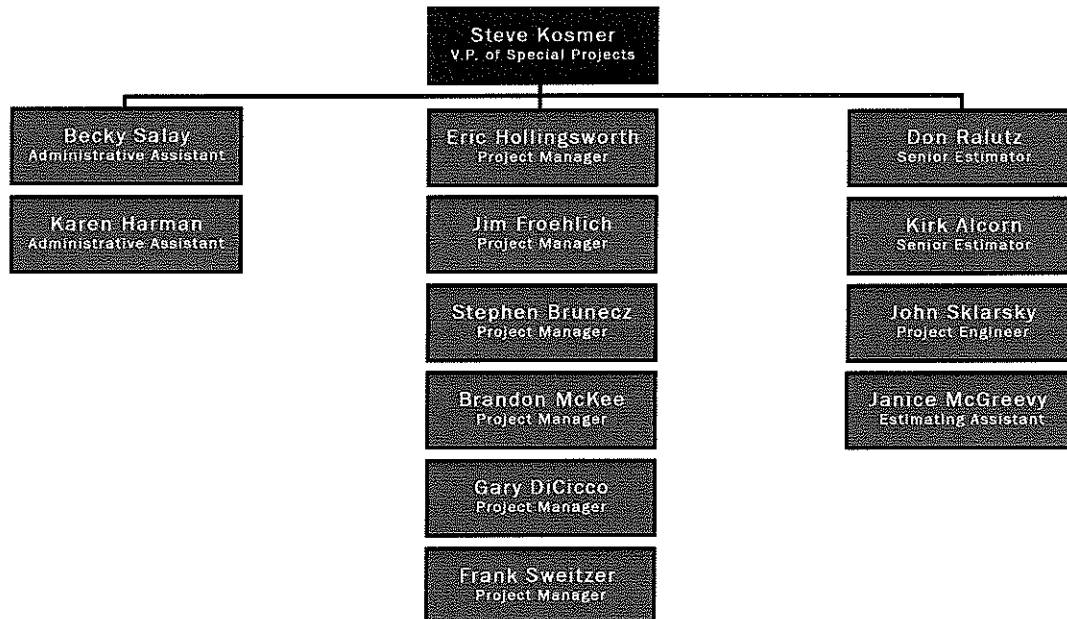
RETAIL

- T.J. Maxx 'n More
- Kaufmann's Department Store
- Hermitage Towne Plaza
- Petco
- Michael's Craft Store

RESTAURANT

- Hard Rock Café Pittsburgh
- Hard Rock Café Louisville
- Café Zao

SPECIAL PROJECTS GROUP ORGANIZATIONAL CHART



PROFESSIONAL REFERENCES

- Tom Boyle • Oxford Development Company • 412-395-3483
- Bill Waterkotte, Assistant Executive Secretary Treasurer & Director of Organizing • Carpenter's Union • 412-922-6200
- Art DiGiacomo, Project Manager • UPMC • 412-647-5553



EDUCATION

University of Pittsburgh • Masters of Business Administration
Pennsylvania State University • Bachelor of Science • Accounting

PROFESSIONAL HISTORY

2006 - Present Rycon Construction, Inc • Controller • Pittsburgh PA
2003 - 2006 W.G. Tomko, Inc • Chief Financial Officer • Finleyville PA
2003 - 2003 Urish Popeck & Co, LLC • Consultant • Pittsburgh PA
1976 - 2002 Tube City, Inc • Various Positions from Billing Supervisor to Sr. V.P. of Finance • Glassport PA

PROFESSIONAL PROFILE

Twenty nine years of progressive accounting and financial experience in an industrial and public environment. Background includes Controllershship Function, Financial Reporting, Treasury Operations, Corporate Development, Strategic Planning and Analysis, Capital Budgeting, Risk Management and Information Technology.

ACCOMPLISHMENTS

- Member of senior management team that organized and implemented \$30 million leveraged buyout.
- Member of financial team that established a \$55 million credit facility that included a \$35 million Revolving Credit Line and \$20 million in term debt. The credit facility gave the company the ability to double its sales volume.
- Member of financial team that established a \$90 million credit facility that included a \$65 million Revolving Credit Line and \$25 million in term debt. The credit facility gave the company the ability to add two processing facilities and an additional \$12 million of EBITDA per year.
- Negotiated financing through lease lines totaling \$45 million.
- Member of senior management team that designed, planned, analyzed and proposed implementing scrap and slag management programs at customer sites. Capital expenditures for each projected ranged from \$2 to \$16 million.
- Created and implemented incentive systems for operating facilities that increased production by an average of 25%.
- Implemented the transition of all financial systems from manual to internal data processing environment. Company was able to double its sales volume without an increase in office personnel.
- Directed implantation of ERP accounting, purchasing and maintenance system, consolidating functions, reducing costs and redundancies.

MEMBERSHIPS

- Institute of Management Accounts

Agency Spending Unit
 REQ.P.O.# DEFK11014

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Rycon Construction, Inc.
 of 2525 Liberty Avenue, Pittsburgh PA 15222, as Principal, and Fidelity and Deposit Company
 of Maryland of Baltimore, Maryland, a corporation organized and existing under the laws of the State of
Maryland with its principal office in the City of Baltimore, as Surety, are held and firmly bound unto the State
 of West Virginia, as Oblige, in the penal sum of Five Percent of Bid Amount (\$ 5% of Bid Amount) for the payment of which,
 well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
 Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
Project DEFK11014, New Rifle Range, Camp Dawson, Kingwood WV

NOW THEREFORE,

(a) If said bid shall be rejected, or
 (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached
 hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the
 agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full
 force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,
 exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
 way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby
 waive notice of any such extension

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations
 have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this

9th day of September, 2010

Principal Corporate Seal

Rycon Construction, Inc.

(Name of Principal)

By [Signature]

(Must be President or
 Vice President)

President/C.O.O.

(Title)

Surety Corporate Seal

Fidelity and Deposit Company of Maryland

(Name of Surety)

[Signature]
 Suzon Lishego 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.

RECEIVED

SEP - 1 2010

per _____

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by DAVID S. HEWETT, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **John S. PRIM and Suzon LISHEGO, both of Pittsburgh, Pennsylvania - EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings, in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney, revokes that issued on behalf of John S. PRIM, Suzon LISHEGO, dated February 18, 2005.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 1st day of December, A.D. 2008.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

Gregory E. Murray Assistant Secretary

By:

David S. Hewett

David S. Hewett

David S. Hewett Vice President

State of Maryland }
City of Baltimore } ss:

On this 1st day of December, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came DAVID S. HEWETT, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski

Maria D. Adamski Notary Public

My Commission Expires: July 8, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,....and to affix the seal of the Company thereto."

CERTIFICATE

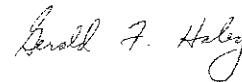
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 9th day of September, 2010.



Assistant Secretary