

Request for Quotation

TARA LYLE 804-558-2544

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RFQ COPY TYPE NAME/ADDRESS HERE Absten & Sons LLC	DIV ENGINEERING & FA
3743 Winfield Road .	U. S. RT. 19, SOUT
Winfield WV 25213	WESTON, WV
304-757-2864	26452 341

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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 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).



Request for MARGNUMBERS Quotation

DEFK11030

TARA LYLE 804-558-2544

DIV ENGINEERING & FACILITIES NATIONAL GUARD ARMORY U. S. RT. 19, SOUTH

ADDRESS: CORRESPONDENCE: TO ATTENTION DE

WESTON, WV 26452

341-6368

RFQ COPY TYPE NAME/ADDRESS HERE Absten & Sons LLC 3743 Winfield Road Winfield WV 25213 304-757-2864

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NATIONAL GUARD ARMORY
U. S. RT. 19, SOUTH

WESTON, WV 26452

341-6368

RFQ COPY
TYPE NAME/ADDRESS HERE
Absten & Sons LLC
3743 Winfield Road
Winfield WV 25213
304-757-2864

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WESTON, WV 26452

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RFQ COPY

304-757-2864

TYPE NAME/ADDRESS HERE Absten & Sons LLC

3743 Winfield Road

Winfield WV 25213

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

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PAGE

TARA LYLE
304-558-2544

DIV ENGINEERING & FACILITIES
NATIONAL GUARD ARMORY
U. S. RT. 19, SOUTH

WESTON, WV

341-6368

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHTTERMS ٠., 03/31/2011 BID OPENING DATE: BID OPENING TIME 01:30PM05/05/2011 CAT, UNITPRICE QUANTITY UOP ITEM NUMBER LINE DFFICE 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: 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. THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND IF NECESSARY, EXTEND THE BID PENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE OPENING DATE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL (3) BIDDERS AND SUBMITTED TO THE STATE PURCHASING rules and reculations DIVISION. THE SAME **ORIGINAL BIDDING DOCUMENT** APPLY TO THE SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



Request for REGINDINGER Quotation

DEFK11030

ADDRESS CORRESPONDENCE TO ATTENTION OF tara lyle 304-558-2544

DIV ENGINEERING & FACILITIES NATIONAL GUARD ARMORY U. S. RT. 19, SOUTH

WESTON, WV 26452

RFQ COPY	
TYPE NAME/ADDRESS HE Absten & Sons LLC	RE
3743 Winfield Road	
Winfield WV 25213	
304-757-2864	

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Winfield wV 25213
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DATE PRINTED TE	AMS OF SALE SHIP VI	A FOR:	FREIGHTTERMS
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DIV ENGINEERING & FACILITIES NATIONAL GUARD ARMORY U. S. RT. 19, SOUTH

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RFQ COPY

TYPE NAME/ADDRESS HERE

Absten & Sons LLC

Winfield WV 25213

304-757-2864

3743 Winfield Road

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

Request for p

DEFK11030

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304-558-2544 DIV ENGINEERING & FACILITIES

NATIONAL GUARD ARMORY SOUTH U. S. RT. 19,

WESTON, WV 26452

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RFQ	MA	DEFK11030
Rru	NO.	

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 flability 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 vender affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

My Commission Expires Nov. 24, 2014

WITNESS THE FOLLOWING SIGNATURE Absten & Sons LLC Vendor's Name: Date: 04/28/2011 Authorized Signature: Edward Absten State of West Virginia County of Putnam to-wit: **20** 1 1. Taken, subscribed, and sworn to before me this 28day of April My Commission expires November 24 2014. NOTARY PUBLIC Polly Searls OFFICIAL SEAL AFFIX SEAL Notary Public, State of West Virginia POLLY SEARLS 557 CONNER AVE., HURRICANE, WV 25525



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

STATE OF West Virginia
COUNTY OFPutnam, TO-WIT:
I, Edward L Absten , after being first duly sworn, depose and state as follows:
1. I am an employee of Absten & Sons LLC ; and, (Company Name)
2. I do hereby attest that Absten & Sons LLC (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.
Absten & Sons LLC (Company Name)
By: Edward L Absten Edward Allto
Title: Member/ Manager
Date: <u>04/28/2011</u>
Taken, subscribed and sworn to before me this $\frac{28}{}$ day of April .
By Commission expires November 24,2014
OFFICIAL SEAL Notary Public, State of West Virginia POLLY SEARLS 2567 CONNER AVE., HURRICANE, W 25526 My Commission Expires Nov. 24, 2014 Notary Public) 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. Rev March 2009



Request for Quotation

DEFK11030

PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF

TARA LYLE 304-558-2544

Absten & Sons LLC 6132 West Virginia 34 Winfield, WV 25213 DIV ENGINEERING & FACILITIES
NATIONAL GUARD ARMORY
U. S. RT. 19, SOUTH

WESTON, WV 26452

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<u>DEFK11030</u> <u>ADDENDUM NO. 1</u>

- Q1: Upon reviewing the blueprint for this project, I have not been able to locate a C-Fixture within the building. Has this fixture been deleted?
- A1: There is not a C Type fixture. The light fixture schedule shows one on the Print, but this is a mistake.

End of Addendum No. 1

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Request for Proposal No DEFK 11030 PLEASE PRINT

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REQUISITION NO.:

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:

NO. 1 ..X..

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 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

Absten & Sons LLC

COMPANY ·

1106-86-H

DATE

REV. 11/96

AgencyW Admin. Dept of Purchasing REQ.P.O#_DFFK11030

BID BOND

KNOW ALL MEN BY THESE PRESENTS, Th	hamalarahamada tu	Absten & Sons LLC	3743 Winfield Road	
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of Sioux Falls, SD, 57117	a corporation	, a corporation organized and existing under the laws of the		
with its principal affice in the City of	Sioux Falls	, as Surety, are held	and firmly bound unto the State	
(Mest Viminia, as Obligee, in the penal sum of 5%	of amount bid	(\$ 5% of tid) for the payment of which,	
ell and truly to be made, we jointly and severally bind	ourselves, our heirs, ac	Iministrators, executors,	successors and assigns,	
The Condition of the above obligation is such	that whereas the Princi	oal has submitted to the	Purchasing Section of the	
Department of Administration a certain bid or proposal, National Guard Armory, Weston, W Light	attached hereto and m ing Alteration	ade a part hereof, to en	ler into a contract in writing for	
NOW THEREFORE,				
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Prince ereto and shall furnish any other bonds and insurance greement created by the acceptance of said bid, then bree and effect. It is expressly understood and agreed exceed the penal amount of this obligation as herein stated. The Surety, for the value received, hereby stip.	this obligation shall be that the liability of the sated.	null and void, otherwise Surety for any and all cla	this obligation shall remain in full aims hereunder shall, in no event,	
The Surety, for the value received, hereby stip ay impaired or affected by any extension of the time value notice of any such extension. IN WITNESS WHEREOF, Principal and Suret	AUTHU ANDOLLIGA SPUGOE	allich and harman	,	
IN WITHESS WHEREOF, Frincipal and other ave caused their corporate seals to be affixed hereun	to and these presents to	be signed by their proj	per officers, this	
5th_day of May 2011	(D B) II (11000 Proposition 1			
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rincipal Corporate Seal	•	Absten & Sons	IAC lame of Principal)	
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		-By Mully	fust be President or	
•			ice President)	
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•				
IPORTANT – Surety executing bonds must be lice	ansed in West Virginia ned.	to transact surety Ins	uranco Raised corporate seals	

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Neely R Arthur Jr, David M Jennings, Timothy J White, Mary Ann Cline, Individually

of Winfield, WV, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 24th day of October, 2008.

NA SANA

WESTERN SURETY COMPANY

Paul F. Bruflat, Senior Vice President

State of South Dakota County of Minnehaha

SS

On this 24th day of October, 2008, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



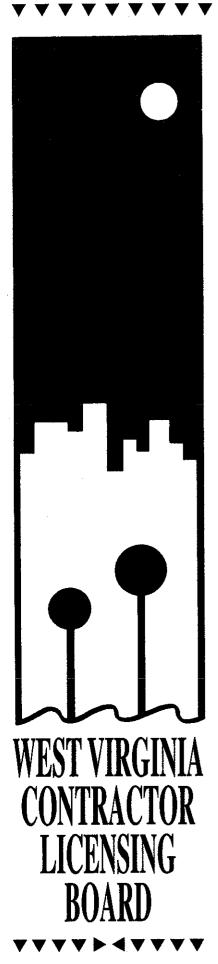
D. Krell, Notary Pub

CERTIFICATE



WESTERN SURETY COMPANY

J. Nelson, Assistant Secretary



CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number:

WV004708

Classification:

ELECTRICAL GENERAL BUILDING GENERAL ENGINEERING HEATING, VENTILATING & COOLING MULTIFAMILY PIPING PLUMBING RESIDENTIAL SPECIALTY

> ABSTEN & SONS LLC DBA ABSTEN & SONS LLC 6132 STATE ROUTE 34 WINFIELD, WV 25213-9639

Date Issued

Expiration Date

SEPTEMBER 20, 2010

SEPTEMBER 20, 2011

Authorized Company Signature

Chair, West Virginia Contractor

Licensing Board

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.



CE	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.									
IMI th	IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the									
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	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.									
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	m 1988 2099 AZORO CORPORATION. All rights reserved.									

CERTIFICATE OF