

Proposal Form

State of West Virginia - General Services Division
West Virginia State Office Building
Logan, West Virginia

Project No. GSD 106447

Name of Bidder: VCC, LLC

The undersigned, hereinafter called Bidder, being familiar with and understanding the Bidding Documents and also having examined the site and being familiar with all local conditions affecting the project hereby proposes to furnish all labor, material, equipment, supplies and transportation and to perform all Work in accordance with the Bidding Documents within the time set forth for the sum of:

Base Bid:

eleven million four hundred fifteen
thousand dollars (\$11,415,000⁰⁰)
(Show amount in both words and numbers)

(In the event of a difference between the written amount and the number amount, the written amount shall govern.)

Alternates:

Alternate No. 1:
Deduct Streetscape and Cole Street Plaza

B.L.
(Add/Deduct) \$ 130,000⁰⁰

Unit Prices:

Unit Price No. 1:

Removal of unsatisfactory soil and replacement with satisfactory soil material.

\$ 10⁰⁰ per (Cu Yd)

Unit Price No. 2:

Rock excavation and replacement with satisfactory soil material

\$ 20⁰⁰ per (Cu. Yd)

Unit Price No. 3:

Linear foot of Auger Cast Piles:

\$ 13⁰⁰ per (Lineal Ft.)

Unit Price No. 4:

Replace Salvaged Brick with new Brick:

\$ 8⁰⁰ per (Brick)

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WV GENERAL SERVICES
DIVISION

Note: Unit Prices shall be used solely for the formulation of any Change Orders requested subsequent to the award of the Contract. They shall not be calculated into the Base Bid in any manner when determining award of the Contract

Allowance Acknowledgment: I have provided the following allowances in my bid:

Allowance No. 1: Quantity Allowance: Provide
2000 cu. yd. of unsatisfactory soil excavation, disposal and
replacement with satisfactory soil material.

BC Bidders Initials

Allowance No. 2: Quantity Allowance: Provide
1000 cu. yd. of rock removal and replacement
with satisfactory soil material

BC Bidders Initials

Allowance No. 3: Lump-Sum Allowance: Provide
the sum of \$12,000 for a Stained Glass art piece
for the main lobby.

BC Bidders Initials

Allowance No. 4: Testing and Inspection Allowance:
Provide the sum of \$75,000 for testing and inspections
to be provided for the Owner


BC Bidders Initials

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within the specified time period following receipt of the OWNER'S written notice to proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the OWNER liquidated damages in the amount specified in the Contract Documents.

No work shall be performed prior to receipt of a signed Purchase Order and Notice to Proceed issued by the Owner. Any materials contracted for prior to the receipt of the OWNER'S written Notice to Proceed shall be at the Bidder's risk.

Signature of Bidder:

Name of Firm: VCC, LLC
Address: 1000 Abernathy Rd. NE Ste 1130
City/ State/ Zip Atlanta, GA 30328
Phone No. (770) 225-1900
Fax No. (770) 225-1921

By: Brian Core
Signature: 
(In colored ink)



Signed and Sealed this 5th day of August, 2010

Addenda:

The undersigned acknowledges receipt of the following Addenda covering revisions to the Drawings, Specification and Bidding Documents. The cost, if any, of such revisions is included in the prices quoted

Addendum No.	<u>1</u>	Dated	<u>7/12/10</u>	<u>B.C.</u>
Addendum No.	<u>2</u>	Dated	<u>7/20/10</u>	<u>B.C.</u>
Addendum No.	<u>3</u>	Dated	<u>7/29/10</u>	<u>B.C.</u>
Addendum No.	<u>4</u>	Dated	<u>7/30/10</u>	<u>B.C.</u>
Addendum No.	_____	Dated	_____	
Addendum No.	_____	Dated	_____	

Contractor's License:

West Virginia Contractor's License No. WV046014

References:

Reference No 1:

Reference Name: Mark Harris, M.L. Harris Company
Position: Owner
Address: 10900 Hefner Pointe Drive Ste 200 Oklahoma City, OK 73120
Telephone Number: 405-848-2801
Project Name & Owner: Louisville Office Building, M.L. Harris Company
Project Location: Louisville, KY
Project Description: GSA 3-Story Office Building

Reference No 2:

Reference Name: Jay Tullis
Position: Vice President of Operations
Address: 9211 Lake Hefner Pkwy Ste 300 Oklahoma City, OK 73120
Telephone Number: 405-942-7337
Project Name & Owner: San Antonio Office Building, M.L. Harris Company
Project Location: San Antonio, TX
Project Description: GSA 4-Story Office Building

Reference No 3:

Reference Name: Alan Carlisle, Cadillac Fairview
Position: Senior Vice President
Address: 100 Galleria Parkway SE, Suite 1650 Atlanta, GA 30339
Telephone Number: 770-661-0232
Project Name & Owner: Stonecrest Office Building, Cadillac Fairview
Project Location: Lithonia, GA
Project Description: Class A Two Story Office Building

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, VCC, LLC
of 600 E. Las Colinas Blvd, Irving, TX 75039, as Principal, and Travelers Casualty and Surety Company
of America of Hartford, Connecticut, a corporation organized and existing under the laws of the State of Connecticut
with its principal office in the City of Hartford, CT, as Surety, are held and firmly bound unto the State
of West Virginia, as Oblige, in the penal sum of Five (5%) Percent of Bid (\$ _____) 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
West Virginia State Office Building
Logan, West Virginia

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
29th day of July, 2010.

Principal Corporate Seal



Surety Corporate Seal

VCC, LLC

By [Signature] Brian Coak
(Name of Principal)
(Must be President or Vice President)

VP
(Title)

Travelers Casualty and Surety Company of America
(Name of Surety)

[Signature]
Attorney-in-Fact
Kevin M. Neidert

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.



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In-Fact No. 220475

Surety Bond No. or Project Description: Bid Bond Principal: VCC, LLC

Obligee: State of West Virginia

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Betsy J. Holmes, Brian K. Hughes, Emmett H. Hall, Karen A. Maynard, Kevin M. Neidert, Michael L. Angel, Michael S. Brickner, P.D. Yates III, P.D. Yates Jr., Tamara Hendrix, Daniel Yates, Alan R. Yates, Gary Spuller, Marie M. Hartley, Robert N. Reynolds, and Dana D. Rutledge

of the City of Atlanta, State of Georgia, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 26th day of September, 2008.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut

City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 26th day of September, 2008, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary August appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and August give such appointee such authority as his or her certificate of authority August prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time August remove any such appointee and revoke the power given him or her; and it is


FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President August delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

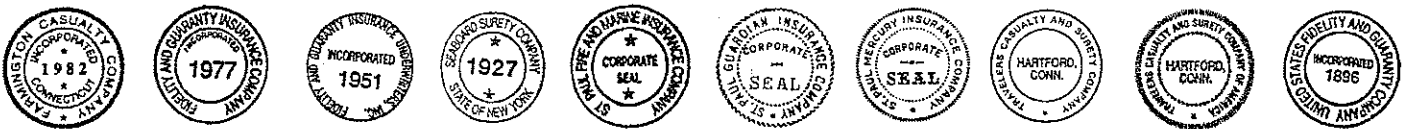
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company August be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 29th day of July, 2010.


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at stpaultravelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.



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

STATE OF Georgia

COUNTY OF Fulton, TO-WIT:

I, Brian Core, after being first duly sworn, depose and state as follows:

1. I am an employee of VCC, LLC; and,
(Company Name)
2. I do hereby attest that VCC, 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.

VCC, LLC
(Company Name)

By: [Signature]

Title: Vice President

Date: 7/29/10

Taken, subscribed and sworn to before me this 26th day of July, 2010.

By Commission expires 17th September, 2011

(Seal)

[Signature]
(Notary Public)

BARBARA J. FRITSON
NOTARY PUBLIC
CHEROKEE COUNTY, GEORGIA
MY COMMISSION EXPIRES SEPTEMBER 17, 2011.

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.