



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 |
| DNRB12088  |

|      |
|------|
| PAGE |
| 1    |

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|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| FRANK WHITTAKER                        |
| 304-558-2316                           |

RFQ COPY

VENDOR

J.F. Allen Co.  
 P.O. Box 2049  
 Buckhannon, WV 26201

SHIP TO

DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION  
 324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B | FREIGHT TERMS |
|--------------|---------------|----------|-------|---------------|
| 01/17/2012   |               |          |       |               |

BID OPENING DATE: 01/31/2012 BID OPENING TIME 01:30PM

| LINE   | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|-------------|------------|--------|
| ***** ADDENDUM NO. 1 *****   |          |     |          |             |            |        |
| THIS ADDENDUM IS ISSUED TO PROVIDE:                                      |          |     |          |             |            |        |
| 1) THE ATTACHED MANDATORY PRE-BID MEETING MINUTES. MINUTES.              |          |     |          |             |            |        |
| 2) REVISED FORM OF PROPOSAL PAGES FP-1 TO FP-5.                          |          |     |          |             |            |        |
| 3) TECHNICAL CLARIFICATIONS DATED 01/06/2012                             |          |     |          |             |            |        |
| 4) DRAWING: EXISTING SNOW MAKING PUMP STATION PLAN.                      |          |     |          |             |            |        |
| 5) MANDATORY PRE-BID SIGN IN SHEET.                                      |          |     |          |             |            |        |
| AND TO EXTEND THE BID OPENING DATE AND TIME TO:<br>01/31/2012 AT 1:30 PM |          |     |          |             |            |        |
| ***** END ADDENDUM NO. 1 *****   |          |     |          |             |            |        |



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                              |                        |                                   |
|------------------------------|------------------------|-----------------------------------|
| SIGNATURE <i>[Signature]</i> | TELEPHONE 304-472-8890 | DATE 1/31/12                      |
| TITLE <i>Pres</i>            | FEIN 55-0328627        | 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.html](http://www.state.wv.us/admin/purchase/vrc/hipaa.html) 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).



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

RFQ NUMBER  
 DNRB12088

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 FRANK WHITTAKER  
 304-558-2316

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

**J.F. ALLEN COMPANY**  
 P.O. Box 2049  
 Buckhannon, WV 26201-2049

SHIP TO

DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION  
 324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397

|                              |               |                          |        |               |
|------------------------------|---------------|--------------------------|--------|---------------|
| DATE PRINTED<br>01/19/2012   | TERMS OF SALE | SHIP VIA                 | F.O.B. | FREIGHT TERMS |
| BID OPENING DATE: 01/31/2012 |               | BID OPENING TIME 01:30PM |        |               |

| LINE  | QUANTITY | UOP | CAT. NO. | ITEM NUMBER          | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|----------------------|------------|--------|
| ***** ADDENDUM NO. 2 *****  |          |     |          |                      |            |        |
| THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED REQUEST FOR SUBSTITUTION AND AGENCY RESPONSE. |          |     |          |                      |            |        |
| ***** END ADDENDUM NO. 2 *****  |          |     |          |                      |            |        |
| 0001  | 1        | LS  | 968-42   | GENERAL CONSTRUCTION |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 304-472-8890 DATE: 1/31/12  
 TITLE: Pres FEIN: 55-0328627 ADDRESS CHANGES TO BE NOTED ABOVE

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



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**DNRB12088**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
 304-558-2316**

ROBERT V. POSEY

**\*709035406      304-472-8890**  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

S. H. P. T. O.

**DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228      304-558-3397**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
|--------------|---------------|----------|-----|---------------|
| 12/13/2011   |               |          |     |               |

BID OPENING DATE: **01/26/2012**      BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| 0001  | 1        | LS  |        | 968-42      |            |        |
| <p><b>GENERAL CONSTRUCTION</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES IS SOLICITING BIDS FOR THE INSTALLATION OF A WATER LINE FROM THE CANAAN VALLEY RESORT GOLF COURSE MAINTENANCE AREA TO THE SNOW-MAKING WATER POND AT THE SKI AREA IN CANAAN VALLEY, WV.</p> <p><b>MANDATORY PRE-BID</b><br/>           A MANDATORY PRE-BID WILL BE HELD ON 12/29/2011 AT 10:00 AM AT THE CANAAN VALLEY RESORT LODGE. ALL 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> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                      |                           |                                   |
|--------------------------------------|---------------------------|-----------------------------------|
| SIGNATURE<br><i>August Whittaker</i> | TELEPHONE<br>304-472-8890 | DATE<br>1/21/12                   |
| TITLE<br>Pres                        | FAX<br>55-0328677         | ADDRESS CHANGES TO BE NOTED ABOVE |

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PAGE  
**2**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
 304-558-2316**

\*709035406 304-472-8890  
**J F ALLEN COMPANY  
 PO BOX 2049**

**BUCKHANNON WV 26201**

**DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION**

**324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397**

VENDOR

SUPPLIER

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 12/13/2011   |               |          |        |               |

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|--|----------|-----|--------|-------------|------------|--------|
| <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>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 01/02/2012 AT 4:00 PM. ALL TECHNICAL QUESTION WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>THIS IS AN EAST BOND FUNDED CAPITAL IMPROVEMENT PROJECT. PAYMENTS TO VENDORS WILL BE MADE BY THE BANK OF NEW YORK MELLON.</p> <p>BIDDING DOCUMENTS CONSIST OF THE REQUEST FOR QUOTATION, PLANS AND SPECIFICATIONS.</p> <p>THE REQUEST FOR QUOTATION MAY BE OBTAINED BY CONTACTING:</p> <p style="text-align: center;">FRANK WHITTAKER, SENIOR BUYER<br/>       WEST VIRGINIA PURCHASING DIVISION<br/>       2019 WASHINGTON STREET, EAST<br/>       CHARLESTON, WV 25305<br/>       TELEPHONE: 304-558-4115</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED FOR A NON-REFUNDABLE DEPOSIT OF \$110.00, PLUS SHIPPING</p> <p style="text-align: center;">CHAPMAN TECHNICAL GROUP</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |           |                                   |
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### Request for Quotation

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PAGE  
**3**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER**  
**304-558-2316**

VENDOR

\*709035406      304-472-8890  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES**  
**PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE**  
**SOUTH CHARLESTON, WV**  
**25303-1228      304-558-3397**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
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|------|----------|-----|--------|---|------------|--------|
|      |          |     |        |   |            |        |
|      |          |     |        | 200 SIXTH AVENUE<br>ST. ALBANS, WV 25177<br>TELEPHONE: 304-727-5501   |            |        |
|      |          |     |        | EXHIBIT 5   |            |        |
|      |          |     |        | WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED 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. |            |        |
|      |          |     |        | NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 120 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.   |            |        |
|      |          |     |        | 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.  |            |        |
|      |          |     |        | WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR TUCKER COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING  |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |           |                                   |
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PAGE  
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ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER**  
**304-558-2316**

VENDOR

\*709035406      304-472-8890  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES**  
**PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE**  
**SOUTH CHARLESTON, WV**  
**25303-1228      304-558-3397**

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| <p>WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN 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</p> |          |     |        |             |            |        |

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BEO NUMBER  
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PAGE  
**5**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
 304-558-2316**

ROOFING

\*709035406      304-472-8890  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

SUPPORT

**DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE  
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 25303-1228      304-558-3397**

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|   |          |     |        |             |            |        |
| <p><b>BOND, OR LABOR AND MATERIAL BOND.</b></p> <p><b>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</b></p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p><b>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</b></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</p> |          |     |        |             |            |        |

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PAGE  
**6**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
 304-558-2316**

VENDOR

\*709035406      304-472-8890  
**J F ALLEN COMPANY  
 PO BOX 2049  
 BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES  
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| 12/13/2011                   |               |                          |        |               |
| BID OPENING DATE: 01/26/2012 |               | BID OPENING TIME 01:30PM |        |               |

| LINE | QUANTITY | UOP | QAT NO. | ITEM NUMBER   | UNIT PRICE | AMOUNT |
|------|----------|-----|---------|---|------------|--------|
|      |          |     |         | <p>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 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>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING 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</p> |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |           |                                   |
|-----------|-----------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE                              |
| TITLE     | FEIN      | 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

BID NUMBER  
**DNRB12088**

PAGE  
**7**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER**  
**304-558-2316**

VENDOR

\*709035406      304-472-8890  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES**  
**PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE**  
**SOUTH CHARLESTON, WV**  
**25303-1228      304-558-3397**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 12/13/2011   |               |          |        |               |

BID OPENING DATE: **01/26/2012**      BID OPENING TIME **01:30PM**

| LINE   | QUANTITY | UOP | QAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|--------|
| <p>BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS.:</p> <p>NO. 1      .01/17/2012.....</p> <p>NO. 2      .01/19/2012.....</p> <p>NO. 3      .....</p> <p>NO. 4      .....</p> <p>NO. 5      .....</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                        |                               |                                   |
|------------------------|-------------------------------|-----------------------------------|
| SIGNATURE <i>Gregg</i> | TELEPHONE <b>304-472-8890</b> | DATE <b>1/31/12</b>               |
| TITLE <i>Pres</i>      | FEIN <b>55-0328627</b>        | 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  
**DNRB12088**

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**8**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
 304-558-2316**

POSTER

**\*709035406      304-472-8890**  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228      304-558-3397**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 12/13/2011   |               |          |        |               |

BID OPENING DATE: **01/26/2012**      BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| <p><b>ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</b></p> <p><b>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.</b></p> <p>.....<i>Gregory J. Allen</i>.....SIGNATURE<br/>           .....J.F. Allen Company.....COMPANY<br/>           .....01/31/2012.....DATE</p> <p>REV. 11/96</p> <p><b>CONTRACTORS LICENSE</b></p> <p><b>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</b></p> <p><b>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</b></p> <p><b>BIDDER TO COMPLETE:</b></p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                      |                                  |                                   |
|--------------------------------------|----------------------------------|-----------------------------------|
| SIGNATURE<br><i>Gregory J. Allen</i> | TELEPHONE<br><b>304-472-8890</b> | DATE<br><b>1/31/12</b>            |
| TITLE<br><b>Pres</b>                 | FEN<br><b>550328627</b>          | 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

BFO NUMBER  
**DNRB12088**

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**9**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER  
 304-558-2316**

VENDOR

\*709035406      304-472-8890  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

BUYER

**DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228      304-558-3397**

| DATE PRINTED                 | TERMS OF SALE | SHIP VIA                 | FOB | FREIGHT TERMS |
|------------------------------|---------------|--------------------------|-----|---------------|
| 12/13/2011                   |               |                          |     |               |
| BID OPENING DATE: 01/26/2012 |               | BID OPENING TIME 01:30PM |     |               |

| LINE  | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| <p>CONTRACTORS NAME: .... J.F. Allen Company .....</p> <p>CONTRACTORS LICENSE NO.: WV000376 .....</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 style="text-align: center;">APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, 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="text-align: center;">DEPARTMENT OF ADMINISTRATION<br/>PURCHASING DIVISION</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                   |                           |                                   |
|-----------------------------------|---------------------------|-----------------------------------|
| SIGNATURE<br><i>Greg Stachler</i> | TELEPHONE<br>304-472-8890 | DATE<br>1/31/12                   |
| TITLE<br>Proc                     | FEIN<br>55-0328627        | 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

REQ NUMBER  
**DNRB12088**

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**10**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER**  
**304-558-2316**

VENDOR

**\*709035406      304-472-8890**  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
  
**BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES**  
**PARKS & RECREATION SECTION**  
  
**324 4TH AVENUE**  
**SOUTH CHARLESTON, WV**  
**25303-1228      304-558-3397**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
|--------------|---------------|----------|-----|---------------|
| 12/13/2011   |               |          |     |               |

BID OPENING DATE: **01/26/2012**      BID OPENING TIME: **01:30PM**

| LINE   | QUANTITY | UOP | QAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|--------|
|  |          |     |        |             |            |        |
| <p><b>BUILDING 15</b><br/> <b>2019 WASHINGTON STREET, EAST</b><br/> <b>CHARLESTON, WV 25305-0130</b></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: <b>44</b></p> <p>REQ. NO.: <b>DNRB12088</b></p> <p>BID OPENING DATE: <b>01/26/2012</b></p> <p>BID OPENING TIME: <b>1:30 PM</b></p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:<br/> <b>(304) 472-8897</b></p> <p>-----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:<br/> <b>Alan Shreve</b></p> <p>-----</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|  |                                  |                                   |
|--|----------------------------------|-----------------------------------|
| SIGNATURE<br><i>Luzgy D. [Signature]</i> | TELEPHONE<br><b>304-472-8890</b> | DATE<br><b>1/31/12</b>            |
| TITLE<br><b>Pres</b>                     | FAX<br><b>55-0328627</b>         | 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

REQ NUMBER  
**DNRB12088**

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**11**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**FRANK WHITTAKER**  
**304-558-2316**

VENDOR

\*709035406      304-472-8890  
**J F ALLEN COMPANY**  
**PO BOX 2049**  
**BUCKHANNON WV 26201**

SHIP TO

**DIVISION OF NATURAL RESOURCES**  
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**324 4TH AVENUE**  
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**25303-1228      304-558-3397**

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|--------------|---------------|----------|-----|---------------|
| 12/13/2011   |               |          |     |               |

BID OPENING DATE: **01/26/2012**      BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UQP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT            |
|---|----------|-----|--------|-------------|------------|-------------------|
| ***** THIS IS THE END OF RFQ DNRB12088 ***** TOTAL: |          |     |        |             |            | <u>402,126.00</u> |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|   |                                  |                                   |
|---|----------------------------------|-----------------------------------|
| SIGNATURE<br><i>Gary S. [Signature]</i> | TELEPHONE<br><b>304-472-8890</b> | DATE<br><b>1/31/12</b>            |
| TITLE<br><b>Pres</b>                    | FEIN<br><b>55-0328627</b>        | ADDRESS CHANGES TO BE NOTED ABOVE |

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

**Canaan Valley Resort State Park  
Ski Area Improvements Project  
Contract 6 - Snow Making Raw Water Main  
DIVISION OF NATURAL RESOURCES**

**INFORMATION FOR BIDDERS**

**1. Examination of Contract Documents and Site**

Each bidder must inform himself fully of the conditions relating to the construction of the project and the employment of labor thereon. Failure to do so will not relieve a successful bidder of his obligation to furnish all material and labor necessary to carry out the provisions of his contract. The bidder is required to examine carefully the Contract Documents and the site of the work contemplated. The submission of a bid shall be considered prima facie evidence that the bidder has made such examination and has judged for and satisfied himself as to the character, quality, and quantity of work to be performed and material required to be furnished under the Contract.

**2. Addenda and Interpretations**

No interpretation of the meaning of the plans, specifications, or other pre-bid documents will be made to any bidder orally.

Every request for such interpretations should be in writing addressed to the Engineer, Division of Natural Resources, Parks and Recreation Section, c/o Frank Whittaker, Senior Buyer, Purchasing Division, 2019 Washington Street, East, Charleston, West Virginia, 25305 and to be given consideration must be received at least fourteen (14) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be mailed to all prospective bidders (at the respective addresses furnished for such purposes), not later than ten (10) days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under his bid as submitted. All addenda so issued shall become part of the Contract Documents.

**3. Substitutions**

Requests for approval of substitutions must be addressed to and received by the Engineer, Division of Natural Resources, Parks and Recreation Section, c/o Frank Whittaker, Senior Buyer, Purchasing Division, 2019 Washington Street, East, Charleston, WV 25305, and to be given consideration must be received at least fourteen (14) days prior to the date fixed for the opening of bids.

Submission shall be made by prime Bidders; no consideration will be given to items submitted directly by manufacturers, suppliers, distributors or subcontractors. Substitutions of materials, products or equipment for those items specified will be considered only when a written request, on Bidder's company letterhead, is accompanied by suitable documentation to demonstrate that the product is equal and appropriate for use in this particular installation. Suitable documentation shall include the following as well as other information:

- Detailed comparison of significant qualities of proposed substitution with those of the work specified. This comparison shall be specific to each feature of the original product. Submission of product literature alone, without a written item by item comparison of the significant qualities of each product will not be considered a complete submission.

**Canaan Valley Resort State Park  
Ski Area Improvements Project  
Contract 6 - Snow Making Raw Water Main  
DIVISION OF NATURAL RESOURCES**

**INFORMATION FOR BIDDERS**

- Product Data, including drawings and descriptions of products of and fabrication and installation procedures. All furnished data must be manufactures original product data information, no faxes or copies will be accepted.
- Samples, where applicable or requested.
- Lists of similar installations for completed projects with project names and addresses and names and addresses of Engineers and owners.
- Material test reports from a qualified testing agency indicating and interpreting test results for compliance with requirements indicated.
- Research /evaluation reports evidencing compliance with building code in effect for Project, from model code organization acceptable to authorities having jurisdiction if applicable.
- Bidder's certification that proposed substitution complies with requirements in the bidding documents and is appropriate for the applications indicated.
- Written request for approval of the substitution on company letter head transmitting the aforementioned information and addressing any item not included.

Burden of proof of merit of requested substitution is upon the submitter. Any request not including all of the required information will be considered incomplete. Incomplete requests shall be rejected. The Engineer has no obligation to request additional information in order to consider the request. Approved requests will be set forth in Addenda issued in accordance with these Instructions to Bidders. All addenda so issued shall become part of the Contract Documents.

**4. Contractor's Personnel Requirements**

The official title of person signing the bid should be shown.

If a firm is a partnership, the full partnership name should be shown, and the bid should be signed by a partner. If a firm is a single proprietorship, the full name should be shown and the bid should be signed by the sole OWNER. If the bid of a partnership or single proprietorship is signed by a person other than the partners and OWNERS, there should be attached a written, duly acknowledged power of attorney clearly giving and showing that the signer has power sufficient to bind the partners and OWNERS of the firm to the bid.

If the firm is a corporation, and the person signing the bid is neither the president nor vice president of the corporation, there should be attached a written, duly acknowledged power of attorney or corporate resolution giving and showing that the signer has sufficient power to bind the corporation to the bid.

Sufficient evidence that the person signing the bid has the power to bind the offering company should be received by the Purchasing Division prior to the issuance of a contract.



**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, J F Allen Company  
of PO Box 2049 Buckhannon, WV 26201-2049, as Principal, and Western Surety  
of 2 Chatham Center #, 1400, Pittsburgh PA 15219 Corporation organized and existing under the laws of the State of South Dakota with its principal office in the City of Sioux Falls, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of 5% amount bid (\$ 5% amount 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 DNRB12088, Waterline Installation, Canaan Valley Resort according to plans and specifications.

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 Obligee 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 26th day of January, 2012.

Principal Corporate Seal

JF Allen Company  
(Name of Principal)  
By Gregory S. Hadjis  
(Must be President or Vice President)  
Gregory S. Hadjis  
President  
(Title)

Surety Corporate Seal

Western Surety Company  
(Name of Surety)  
Sheila McCormick  
Attorney-in-Fact  
Sheila McCormick

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

# 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

**Ross E Johnson, Beverly A Holstine, Kathryn K Arthur, Sheila Mc Cormick, Individually**

of Charleston, 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 21st day of September, 2011.



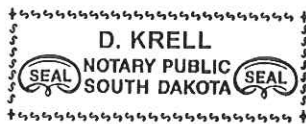
WESTERN SURETY COMPANY

Paul T. Bruffat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 21st day of September, 2011, before me personally came Paul T. Bruffat, 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 Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 26th day of January, 2012.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary



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

STATE OF West Virginia

COUNTY OF Upshur, TO-WIT:

I, Gregory S. Hadjis, after being first duly sworn, depose and state as follows:

- 1. I am an employee of J. F. Allen Company; and,  
(Company Name)
- 2. I do hereby attest that J. F. Allen Company  
(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.

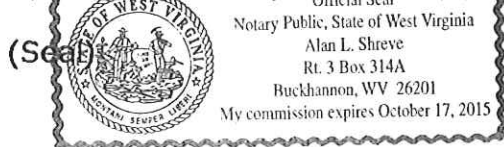
J.F. Allen Company  
(Company Name)

By: *Gregory S. Hadjis*  
Gregory S. Hadjis  
Title: President

Date: January 31, 2012

Taken, subscribed and sworn to before me this 31st day of January 2012.

By Commission expires October 17, 2015



*Alan L. Shreve*  
(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: J.F. Allen Company

Authorized Signature: *[Signature]* Date: 01/31/2012

State of West Virginia

County of Upshur, to-wit:

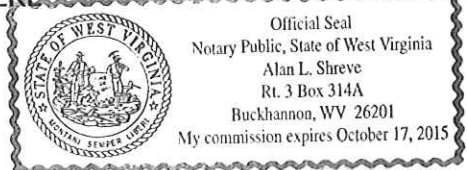
Taken, subscribed, and sworn to before me this 31st day of January, 2012.

My Commission expires October 17, 2015.

**AFFIX SEAL HERE**

**NOTARY PUBLIC**

*[Signature]*





**Canaan Valley Resort State Park  
Ski Area Improvements Project  
Contract 6 - Snow Making Raw Water Main  
DIVISION OF NATURAL RESOURCES**

Revised per Addendum No.1

**FORM OF PROPOSAL**

Name of Bidder:

J.F. Allen Company

Address of Bidder:

PO Box 2049  
Buckhannon, WV 26201

Phone Number of Bidder:

(304) 472-8890

WV Contractors License No.

WV000376

We, the undersigned, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the general conditions to bidders, drawings, and specifications, hereby proposes to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding documents.

**Base Bid  
Contract No. 6**

The project generally consists of installation of 7,300 LF of 6" PVC raw water main; 125 LF of 12" steel casing pipe-bore and jack installation; air release valve vaults; and wireless, internet based pump control system. The work is identified as Contract No. 6 - Canaan Valley Resort State Park. The cost for the work shall be as itemized below. The total of all items shall be summarized as the Total Base Bid in the space indicated below.

Canaan Valley Resort State Park  
 Ski Area Improvements Project  
 Contract 6 - Snow Making Raw Water Main  
 DIVISION OF NATURAL RESOURCES

Revised per Addendum No.1

FORM OF PROPOSAL

Amounts to be shown in both words and figures. In case of a discrepancy, the amount in words shall govern.

| <u>QTY.</u> | <u>UNIT</u> | <u>DESCRIPTION</u><br><u>UNIT PRICE IN WORDS</u>   | <u>UNIT PRICE</u><br><u>IN FIGURES</u> | <u>TOTAL PRICE</u><br><u>IN FIGURES</u> |
|-------------|-------------|--|--|---|
| 7,300       | L.F.        | 6" PVC Raw Water Main<br>Pipe<br><i>twenty-nine</i> Dollars<br>and <i>no</i> Cents                           | \$ <u>29.00</u>                        | \$ <u>211,700.00</u>                    |
| 50          | L.F.        | Stream Crossing<br><i>one hundred eighty-four</i> Dollars<br>and <i>no</i> Cents                             | \$ <u>164.00</u>                       | \$ <u>8200.00</u>                       |
| 230         | L.F.        | Wet Crossing Pipe<br>(Class B bedding w/native topsoil)<br><i>eighty-five</i> Dollars<br>and <i>no</i> Cents | \$ <u>85.00</u>                        | \$ <u>19,550.00</u>                     |
| 125         | L.F.        | 12" Steel Casing Pipe<br>Bore & Jack Installation<br><i>two hundred ten</i> Dollars<br>and <i>no</i> Cents   | \$ <u>210.00</u>                       | \$ <u>26,250.00</u>                     |
| 5           | EA.         | Air Release Valve Vault Assembly<br><i>forty-four hundred</i> Dollars<br>and <i>no</i> Cents                 | \$ <u>4400.00</u>                      | \$ <u>22,100.00</u>                     |
| 1           | EA.         | Water Main<br>Connection No. 1<br><i>eleven hundred ninety</i> Dollars<br>and <i>no</i> Cents                | \$ <u>1190.00</u>                      | \$ <u>1190.00</u>                       |
| 15          | L.F.        | Type 'C' Trench Restoration<br><i>six</i> Dollars<br>and <i>no</i> Cents                                     | \$ <u>6.00</u>                         | \$ <u>90.00</u>                         |
| 1           | EA.         | 6" Gate Valve Assembly<br><i>eleven hundred forty-six</i> Dollars<br>and <i>no</i> Cents                     | \$ <u>1146.00</u>                      | \$ <u>1146.00</u>                       |
| 1           | L.S.        | Pump Station<br>Modifications<br><i>ninety-five thousand</i> Dollars<br>and <i>no</i> Cents                  | \$ <u>95,000.00</u>                    | \$ <u>95,000.00</u>                     |

**Canaan Valley Resort State Park  
Ski Area Improvements Project  
Contract 6 - Snow Making Raw Water Main  
DIVISION OF NATURAL RESOURCES**

Revised per Addendum No. 1

**FORM OF PROPOSAL**

| <u>QTY.</u> | <u>UNIT</u> | <u>DESCRIPTION</u><br><u>UNIT PRICE IN WORDS</u>   | <u>UNIT PRICE</u><br><u>IN FIGURES</u> | <u>TOTAL PRICE</u><br><u>IN FIGURES</u> |
|-------------|-------------|--|--|---|
| 70          | S.F.        | Asphalt Restoration<br><u>Twenty</u> Dollars<br>and <u>00</u> Cents                              | \$ <u>20.00</u>                        | \$ <u>1400.00</u>                       |
| 1           | LS.         | Rip Rap Outfall<br><u>eleven hundred</u> Dollars<br>and <u>00</u> Cents                          | \$ <u>1100.00</u>                      | \$ <u>1100.00</u>                       |
| 1           | LS.         | Audio Video Color Taping<br><u>fourteen thousand five hundred</u> Dollars<br>and <u>00</u> Cents | \$ <u>14,500.00</u>                    | \$ <u>14,500.00</u>                     |

**Total Base Bid:** Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in numbers.

\$ 402,126.00

**Total Base Bid:** Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in words.

four hundred two thousand one hundred twenty-six dollars 00 cents

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.

The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Bidder that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

**Canaan Valley Resort State Park  
Ski Area Improvements Project  
Contract 6 - Snow Making Raw Water Main  
DIVISION OF NATURAL RESOURCES**

**Revised per Addendum No.1**

**FORM OF PROPOSAL**

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within 120 consecutive calendar days 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 of \$250 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Bidder's risk.

**PROGRESS PAYMENTS** - The CONTRACTOR will make current estimates in writing once each month on AIA Forms G702 and G703 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-1997 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.

**ADDENDUM ACKNOWLEDGEMENT**

I hereby acknowledge receipt of the following checked addendum and have made the necessary revisions to my bid or proposal.

| Addendum No. | Date       |
|--------------|------------|
| 1            | 01/17/2012 |
| 2            | 01/19/2012 |
|              |            |
|              |            |



**Canaan Valley Resort State Park  
Ski Area Improvements Project  
Contract 6 - Snow Making Raw Water Main  
DIVISION OF NATURAL RESOURCES**

**Revised per Addendum No.1**

**FORM OF PROPOSAL**

I understand that failure to confirm the receipt of the Addendum is cause for rejection of my bid or proposal.

Respectfully submitted:

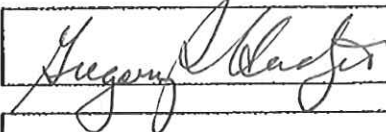
Date:

January 31, 2012

WV Vendor  
Registration Number:

709035406

By: (signature in ink)



Title:

President

Firm Name:

J. F. Allen Company

Firm Address:

PO Box 2049  
Buckhannon; WV 26201

# CONTRACTOR LICENSE

Authorized by the

**West Virginia Contractor Licensing Board**

**Number:** WV000376

**Classification:**

GENERAL ENGINEERING

J F ALLEN COMPANY  
DBA J F ALLEN COMPANY  
PO BOX 2049  
BUCKHANNON, WV 26201-7049


**Date Issued**

AUGUST 05, 2011

**Expiration Date**

AUGUST 05, 2012

  
Authorized Company Signature

  
Chair, West Virginia Contractor  
Licensing Board

**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.