



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

**Solicitation**

NUMBER
COR61589

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
TARA LYLE 304-558-2544

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**BOGGS ROOFING, INC.**  
 320 West 15th Street  
 P.O. Box 7455  
 HUNTINGTON, WV 25776-7455

SHIP TO

DIVISION OF CORRECTIONS  
 ST. MARYS CORRECTIONAL CENTER  
 (COLIN ANDERSON CENTER)  
 STATE ROUTE 2  
 ST. MARYS, WV  
 26170 304-558-2036

DATE PRINTED
12/14/2012

BID OPENING DATE: 01/24/2013 BID OPENING TIME: 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		910-66		
<p>*****            PLEASE NOTE A MANDATORY PRE-BID MEETING IS SCHEDULED FOR 01/03/2013 AT 10:00 AM AT THE ST. MARYS E CORRECTIONAL CENTER LOCATED AT 2880 NORTH PLEASANTS HIGHWAY ST. MARYS, WV 26170. VENDORS SHOULD PRE-REGISTER PRIOR TO THE MEETING WITH DON SPRINGSTON BY PHONE AT 304-684-5500 OR BY EMAIL AT DONALD.P.SPRINGSTON@WV.GOV.            *****            PLEASE NOTE: THE DRUG FREE WORKPLACE AFFIDAVIT AND BID BOND ARE REQUIRED WITH BID SUBMISSION.            *****</p>						
<p>ROOFING MAINTENANCE, REPAIR, AND INSTALLATION</p>						
<p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF CORRECTIONS - ST. MARYS CORRECTIONAL CENTER, IS SOLICITING BIDS TO REMOVE EXISTING ROOF AND INSTALL NEW ROOFING SYSTEMS ON 3 BUILDINGS UNITS (BUILDINGS 70, 72 AND 75) AT THE ST. MARYS CORRECTIONAL CENTER LOCATED AT 2880 NORTH PLEASANTS HIGHWAY ST. MARYS, WV 26170, PER THE ATTACHED SPECIFICATIONS.</p>						
<p>01/29/13 10:49:34 AM            West Virginia Purchasing Division</p>						

*See Attached Bid Form*

SIGNATURE <i>Pamela Boggs</i>	TELEPHONE 304-429-4233	DATE 1/25/13
TITLE VP	FEIN 55-0703992	ADDRESS CHANGES TO BE NOTED ABOVE

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



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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ATTACHMENTS INCLUDE:						
1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS						
2. GENERAL TERMS AND CONDITIONS						
3. ADDITIONAL TERMS AND CONDITIONS (CONSTRUCTION CONTRACTS ONLY)						
4. COR61589 SPECIFICATIONS						
5. CERTIFICATION AND SIGNATURE PAGE						
6. ADDENDUM ACKNOWLEDGEMENT FORM						
7. PURCHASING AFFIDAVIT						
8. DRUG-FREE WORKPLACE AFFIDAVIT						
9. BID BOND INSTRUCTIONS AND FORM						
10. WV-75-CONSTRUCTION BID SUBMISSION REVIEW FORM						
***** THIS IS THE END OF RFQ COR61589 ***** TOTAL:						

*See Attached Bid Form*

SIGNATURE <i>Janet Boggs</i>	TITLE VP	NAME / Pamela Boggs	FEIN 55-0703992	TELEPHONE 304-429-4233	DATE 1/25/13
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ADDRESS CHANGES TO BE NOTED ABOVE

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RFQ # COR61589 – Revised by Addendum No. 3

ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES NECESSARY TO INSTALL NEW  
ROOFING SYSTEM ON BUILDINGS #70, #72 AND #75

SAINT MARYS CORRECTIONAL CENTER

PLEASEANTS COUNTY, WV

BID FORM

Bidder's Company Name: BOGGS ROOFING, INC

Bidder's Address: PO Box 7455

HUNTINGTON, WV 25796

Remittance Address: SAME  
(If different)

Phone Number: 304-429-4233

Fax Number: 304-429-2811

Email Address: shane@boggsroofing.com

WV Contractor's License Number: 003858

We, the undersigned, hereby propose to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding Documents.

CONTRACT BASE BID: FOUR HUNDRED NINETY FIVE THOUSAND TWO HUNDRED ONE DOLLARS  
(\$ 495,201.00 ) (Contract base bid to be written in words and numbers.)

ALTERNATE #1: Add to base bid - \$45,085.00 FORTY FIVE THOUSAND EIGHTY FIVE DOLLARS  
Add to Base Bid  
(\$ 45,085.00 ) Alternate #1 – Roof on Wardens House per the specifications  
(Alternate #1 to be written in words and numbers)

METAL DECKING PER SQUARE FOOTAGE COST BID (IF ANY)

SEVEN DOLLARS FIFTY CENTS PER SQUARE FOOT

(\$ 7.50 ) (Metal decking per square footage cost bid to be written in words and numbers.)

The Bidder understands that it is the intent to award a contract to the vendor meeting the specifications with the lowest Base Bid. The Bidder should submit an amount for the Base Bid and Alternate No. 1. Depending on the availability of funds, the Owner reserves the right to accept or reject Alternate No. 1.

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 conditions 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.

RESPECTFULLY SUBMITTED:

DATE: 1/25/13

WV VENDOR NO.: 709060825

CONTRACTOR LICENSE NO.: 003858

BY: Pamela Boggs / Pamela Boggs  
(SIGNATURE, IN INK)

TITLE: Vice President

FIRM NAME: Boggs Roofing, Inc.

(CORPORATE SEAL  
IF APPLICABLE)

ADDRESS: PO Box 7455, HUNTINGTON, WV 25776

END OF BID FORM

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Boggs Roofing, Inc.  
of PO Box 7455, Huntington, WV 25776, as Principal, and Western Surety Company  
of Two Chatham Center, Pittsburgh PA 15219, a 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 Five Percent (\$ 5%) for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for Project Number COR61589, Reroofing St. Mary's Correctional Center  
in accordance with 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 4th day of January, 20 13.

Principal Corporate Seal

Boggs Roofing, Inc.  
(Name of Principal)

By W. Fred Boggs  
W. Fred Boggs (Must be President or Vice President)

President  
(Title)

Surety Corporate Seal

Western Surety Company  
(Name of Surety)

Ross E. Johnson  
Ross E. Johnson Attorney-in-Fact

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 Vice President and its corporate seal to be hereto affixed on this 12th day of September, 2012.

WESTERN SURETY COMPANY



*Paul T. Bruflat*

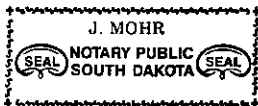
Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 12th day of September, 2012, 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 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

June 23, 2015



*J. Mohr*

J. Mohr, 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 4th day of January, 2013.



WESTERN SURETY COMPANY

*L. Nelson*

L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

**ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)**

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor.

West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name:

Contractor's License No.

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a purchase order/contract.

2. **DRUG-FREE WORKPLACE:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit, or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid.
3. **AIA DOCUMENTS:** All construction contracts that will be completed in conjunction with architectural services procured under Chapter 5G of the West Virginia Code will be governed by the AIA A101-2007 and A201-2007 or the A107-2007 documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein.
4. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$500,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects.

c. **Required Information.** The subcontractor list shall contain the following information:



CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

BOGGS ROOFING, INC.  
(Company)

Pamela Boggs  
(Authorized Signature)

PAMELA BOGGS, VP  
(Representative Name, Title)

304-429-4233      304-429-2811  
(Phone Number)      (Fax Number)

1/25/13  
(Date)

## ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: COR61589

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input type="checkbox"/> Addendum No. 2            | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3            | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5            | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further 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.

*BOGGS ROOFING, INC.*

Company

*Pamela Boggs Pamela Boggs - VP*

Authorized Signature

*1/25/13*

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

RFQ No. COR61589STATE OF WEST VIRGINIA  
Purchasing Division**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"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.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

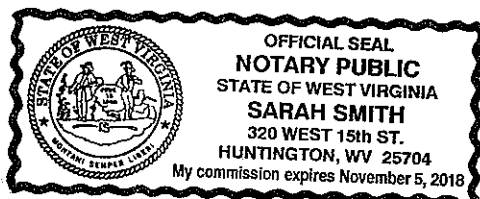
**WITNESS THE FOLLOWING SIGNATURE:**Vendor's Name: Boggs Roofing, Inc.Authorized Signature: Pamela Boggs / Pamela Boggs - VP Date: 1/25/13State of WVCounty of Cabell, to-wit:Taken, subscribed, and sworn to before me this 25<sup>th</sup> day of January, 2013.My Commission expires November 5, 2018.

AFFIX SEAL HERE

NOTARY PUBLIC

Sarah Smith

Purchasing Affidavit (Revised 07/01/2012)





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

STATE OF WV

COUNTY OF Cabell, TO-WIT:

I, Pamela Boggs, after being first duly sworn, depose and state as follows:

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

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

BOGGS ROOFING, Inc.  
(Company Name)

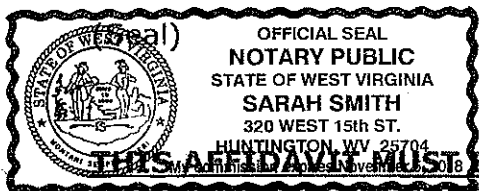
By: Pamela Boggs / Pamela Boggs

Title: Vice President

Date: 1/25/13

Taken, subscribed and sworn to before me this 25<sup>th</sup> day of January.

By Commission expires November 5, 2018



Sarah Smith  
(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.**

# CONTRACTOR LICENSE

Authorized by the

## West Virginia Contractor Licensing Board

**Number:** WV003858

**Classification:**

GENERAL BUILDING  
HEATING, VENTILATING & COOLING  
PIPING  
RESIDENTIAL  
SIDING  
ROOFING  
SHEET METAL  
SPECIALTY

BOGGS ROOFING INC  
DBA BOGGS ROOFING INC  
PO BOX 7455  
HUNTINGTON, WV 25776

**Date Issued**

**Expiration Date**

SEPTEMBER 11, 2012

SEPTEMBER 11, 2013

*Raneta A. Boggs*  
Authorized Company Signature

*Michael A. Carl*  
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.