



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

Solicitation

NUMBER
DEFK14021

PAGE
1

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

V E N D O R	*709035349	304-525-5181
	NEIGHBORGALL CONSTRUCTION CO	
	1216 SEVENTH AVE	
	HUNTINGTON WV 25701	

S H I P T O	DIV ENGINEERING & FACILITIES
	JOBSITE
	SEE SPECIFICATIONS

DATE PRINTED
12/23/2013

BID OPENING DATE: 01/21/2014 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB	968-42	GENERAL CONSTRUCTION		
<p>***** PLEASE NOTE A MANDATORY PRE-BID MEETING IS SCHEDULED FOR 01/07/2014 AT 10:00 AM AT THE CFMO CONFERENCE ROOM LOCATED AT THE WV ARMY NATIONAL GUARD 1703 COONSKIN DRIVE CHARLESTON, WV 25311. ***** PLEASE NOTE: THE DRUG-FREE WORKPLACE AFFIDAVIT AND BID BOND ARE REQUIRED WITH BID SUBMISSION. ***** CONTRACT DOCUMENTS MAY BE OBTAINED AT THE OFFICES OF MICHAEL BAKER JR., INC. 5088 WASHINGTON STREET, WEST SECOND FLOOR CHARLESTON, WV 25313 PHONE: 304-769-0821 A NON-REFUNDABLE PAYMENT OF \$175.00 IS REQUIRED FOR EACH SET OF DOCUMENTS. *****</p>						
<p>02/19/14 01:18:26PM West Virginia Purchasing Division</p>						
<p>THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV NATIONAL GUARD, DIVISION OF ENGINEERING AND FACILITIES, IS SOLICITING BIDS TO CONSTRUCT A</p>						

SIGNATURE <i>[Signature]</i>	TELEPHONE (304) 525-5181	DATE 02/19/2014
TITLE President	FEIN 550327171	ADDRESS CHANGES TO BE NOTED ABOVE

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



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12/23/2013

BID OPENING DATE: 01/21/2014 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				NEW MAINTENANCE FACILITY AT THE WV NATIONAL GUARD - PROPERTY ADJACENT TO THE SOCCER COMPLEX IN COONSKIN PARK, CHARLESTON, WV, PER THE ATTACHED SPECIFICATIONS.		
				ATTACHMENTS INCLUDE:		
				1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS		
				2. GENERAL TERMS AND CONDITIONS		
				3. ADDITIONAL TERMS AND CONDITIONS (CONSTRUCTION CONTRACTS ONLY)		
				4. DEFK14021 SPECIFICATIONS AND DRAWINGS		
				5. CERTIFICATION AND SIGNATURE PAGE		
				6. PURCHASING AFFIDAVIT		
				7. DRUG-FREE WORKPLACE AFFIDAVIT		
				8. BID BOND INSTRUCTIONS AND FORM		
				9. WV-75-CONSTRUCTION BID SUBMISSION REVIEW FORM		
				***** THIS IS THE END OF RFQ DEFK14021 ***** TOTAL:		809,000.00


SIGNATURE <i>[Signature]</i>	TELEPHONE (304) 525-5181	DATE 02/19/2014
TITLE President	FEIN 550327171	ADDRESS CHANGES TO BE NOTED ABOVE

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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.

The Neighborgall Construction Company
(Company)


(Authorized Signature)

C.R. Neighborgall, IV, President
(Representative Name, Title)

(304) 525-5181 (304) 525-7795
(Phone Number) (Fax Number)

02/19/2014
(Date)

RFQ No. DEFK14021STATE 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: The Neighborgall Construction CompanyAuthorized Signature: *[Signature]* Date: 02/19/2014State of West VirginiaCounty of Cabell, to-wit:Taken, subscribed, and sworn to before me this 19th day of February, 2014.My Commission expires August 03, 2019.

AFFIX SEAL HERE

NOTARY PUBLIC *[Signature]*

Purchasing Affidavit (Revised 07/01/2012)





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

STATE OF WEST VIRGINIA,

COUNTY OF Cabell, TO-WIT:

I, C.R. Neighborgall, IV, after being first duly sworn, depose and state as follows:

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

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

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

By: *C.R. Neighborgall, IV*

Title: President

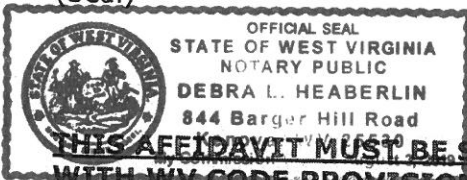
Company Name: The Neighborgall Construction Company

Date: 02/19/2014

Taken, subscribed and sworn to before me this 19th day of February, 2014.

By Commission expires August 03, 2019

(Seal)



Debra L. Heaberlin
(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.



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 HUNTINGTON WV 25701

VENDOR

S H I P T O

DIV ENGINEERING & FACILITIES
 JOBSITE
 SEE SPECIFICATIONS



DATE PRINTED
01/06/2014

BID OPENING DATE: 01/28/2014 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 1						
THE MANDATORY PRE-BID SCHEDULED FOR 01/07/2014 AT 10:00 AM AT THE WV NATIONAL GUARD ARMORY IN CHARLESTON, WV HAS BEEN POSTPONED TO 01/14/2014 AT 10:00 AM.						
SEE ATTACHED SHEETS FOR MORE INFORMATION.						
END OF ADDENDUM NO. 1						
0001	1	JB		968-42		
GENERAL CONSTRUCTION						
***** THIS IS THE END OF RFQ DEFK14021 ***** TOTAL:						

SIGNATURE <i>[Signature]</i>	TELEPHONE (304) 525-5181	DATE 02/19/2014
TITLE President	FEIN 550327171	ADDRESS CHANGES TO BE NOTED ABOVE

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DIV ENGINEERING & FACILITIES
 JOBSITE
 SEE SPECIFICATIONS

RECEIVED
JAN 27 2014
 NEIGHBORGALL
 CONSTRUCTION

DATE PRINTED
01/24/2014

BID OPENING DATE: 02/06/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 2		
				SEE ATTACHED PAGES.		
				END OF ADDENDUM NO. 2		
0001		JB		968-42		
	1			GENERAL CONSTRUCTION		
***** THIS IS THE END OF RFQ DEFK14021 ***** TOTAL:						

SIGNATURE <i>[Signature]</i>	TELEPHONE (304) 525-5181	DATE 02/19/2014
TITLE President	FEIN 550327171	ADDRESS CHANGES TO BE NOTED ABOVE

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DIV ENGINEERING & FACILITIES
 JOBSITE
 SEE SPECIFICATIONS

DATE PRINTED
02/03/2014

BID OPENING DATE: 02/11/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 3		
				SEE ATTACHED PAGES.		
				END OF ADDENDUM NO. 3		
0001	1	JB		968-42		
				GENERAL CONSTRUCTION		
***** THIS IS THE END OF RFQ DEFK14021 ***** TOTAL:						

SIGNATURE <i>[Signature]</i>		TELEPHONE (304) 525-5181	DATE 02/19/2014
TITLE President	FEIN 550327171	ADDRESS CHANGES TO BE NOTED ABOVE	

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RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

DIV ENGINEERING & FACILITIES
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 SEE SPECIFICATIONS

SHIP TO

DATE PRINTED
02/10/2014

BID OPENING DATE: 02/19/2014

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 4		
				SEE ATTACHED PAGES.		
				END OF ADDENDUM NO. 4		
0001	1	JB		968-42		
				GENERAL CONSTRUCTION		
***** THIS IS THE END OF RFQ DEFK14021 ***** TOTAL:						

SIGNATURE <i>[Signature]</i>	TELEPHONE (304) 525-5181	DATE 02/19/2014
TITLE President	FEIN 550327171	ADDRESS CHANGES TO BE NOTED ABOVE

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ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: DEFK14021

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 checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input checked="" type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input checked="" 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 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.

The Neighborgall Construction Company
Company



Authorized Signature

02/19/2014

Date

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

Proposal Form

West Virginia Army National Guard
Coonskin Park Maintenance Facility

1.1 NAME OF BIDDER: The Neighborgall Construction Company

A. 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:

1.2 BASE BID

A. Total Project Cost: (In words and numbers)

Eight Hundred Nine Thousand Dollars
_____ (\$ 809,000.00)

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

1.3 UNIT PRICES

“Definition: A Unit Price is an amount stated in the Bid as a price per unit of measurement for materials, equipment or services or a portion of the work as described in the Bidding Documents. Unit Prices shall be used solely for the formulation of any change orders subsequently requested for the awarded contract”

<u>NUMBER</u>	<u>DESCRIPTION</u>
Unit Price No. 1:	Removal of unsatisfactory soil and replacement with satisfactory soil material \$ <u>61.00</u> Per Cubic Yard
Unit Price No. 2:	Rock excavation and replacement with satisfactory soil material. \$ <u>110.00</u> Per Square Foot

Coonskin Park Maintenance Facility

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within the specified time period following issuance 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 issuance of a signed Purchase Order and Notice to Proceed issued by the Owner. Any materials contracted for prior to the issuance of the OWNER'S written Notice to Proceed shall be at the Bidder's risk.

1.4 SIGNATURE OF BIDDER

Name of Firm: The Neighborgall Construction Company

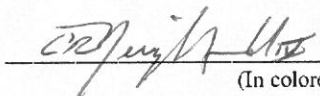
Address: 1216 7th Avenue

City/ State/ Zip Huntington, WV 25701

Phone No. (304) 525-5181

Fax No. (304) 525-7795

By: C.R. Neighborgall, IV, President

Signature: 
(In colored Ink)

Signed and Sealed this 19th day of February, 2011

(Seal)

1.5 CONTRACTOR'S LICENSE

West Virginia Contractor's License No. WV005339

1.6 ADDENDA

A. 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. 1 , Dated 01/06/2014

Addendum No. 2 , Dated 01/24/2014

Addendum No. 3 , Dated 02/03/2014

Addendum No. 4 , Dated 02/10/2014

Addendum No. , Dated

Addendum No. , Dated

END OF PROPOSAL FORM

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Neighborgall Construction Company
of Huntington, WV, as Principal, and Ohio Farmers Insurance Company
of Westfield Center, OH, a corporation organized and existing under the laws of the State of
OH with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 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
Coonskin Park Maintenance Facility - DEFK14021 - According to Plans & 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
19th day of February, 2014.

Principal Corporate Seal

Neighborgall Construction Company
(Name of Principal)

By *C. R. Neighborgall, IV*
(Must be President or
Vice President)

C. R. Neighborgall, IV President
(Title)

Surety Corporate Seal

Ohio Farmers Insurance Company
(Name of Surety)

By: *Patricia A. Moye*
Patricia A. Moye, WV Resident Agent 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.

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 12/17/13, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752152 06

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint GREGORY T. GORDON, ALLAN L. MC VEY, KIMBERLY J. WILKINSON, PATRICIA A. MOYE, JOINTLY OR SEVERALLY

of CHARLESTON and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 17th day of DECEMBER A.D., 2013 .

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

By: Dennis P. Baus

Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio County of Medina ss.:

On this 17th day of DECEMBER A.D., 2013 , before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



William J. Kahelin

William J. Kahelin, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 19th day of February A.D., 2014 .



Frank A Carrino Secretary Frank A. Carrino, Secretary