

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

11/07/13 01:16:19 PM

West Virginia Purchasing Division

Solicitation

NUMBER PRI14204 PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF.

TARA LYLE 04-558-2544

DIVISION OF CORRECTIONS

1409 GREENBRIER ST P

CHARLESTON, WV 25311

304-558-8045

RFQ COPY TYPE NAME/ADDRESS HERE

VENDOR

N-Powell Company, Inc. P.O. Box 239 3828 Main Street Weirton, WV 26062

DATE PRINTED 09/17/2013

10/22/2013 BID OPENING DATE: BID OPENING TIME 1:30PM CAT. LINE QUANTITY ITEM NUMBER UNIT PRICE AMOUNT ************* PLEASE NOTE Å MAN⊅ATOR¥ PRE-BID MEETIN¢ IS SCHEDULED FOR 10/08/2013 AT 10:00 AM AT THE WV CORRECTIONAL NDUSTRIES BÜILDING LO¢ATED AT 617 LEON SULLIVAN WAY CHARLESTON, WV 25301. ************** PLEASE NOTE: THE DRUG-FREE WORKPLACE AFFIDAVIT AND BID BOND ARE REQUIRED WITH BID SUBMISSION. 0001 TR \$10-65 1 GENERAL BUILDING RENOVATION/REPAIR THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV CORRECTIONAL INDUSTRIES, IS SOLICITING BIDS TO PAINT, REMOVAL AND INSTALL NEW WINDOWS, AND #XTERIOR REPAIRS TO THE EXISTING BUILDING AT THE WV CORRECTIONAL INDUSTRIES OFFICE LOCATED AT 617 LEON SULLIVAN WAY CHARLESTON, WV, PER THE ATTACHED \$PECIFICATIONS. ATTACHMENTS INCLUDE: INSTRUCTIONS TO VENDORS SUBMITTING | BIDS GENERAL TERMS AND CONDITIONS ADDITIONAL TERMS AND CONDITIONS (CONSTRUCTION CONTRACT\$ ONLY) PRI14204 | SPECIFICATIONS SIGNATUR Nov. 7,2013 304-748-3338 FEIN President 47-0947745 ADDRESS CHANGES TO BE NOTED ABOVE



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N-Powell Company, Inc. P.O. Box 239 3828 Main Street Weirton, WV 26062

Solicitation

SH-P

TO

NUMBER PRI14204 PAGE 2

ADDRESS CORRESPONDENCE TO ATTENTION OF

TARA LYLE 304-558-2544

DIVISION OF CORRECTIONS

1409 GREENBRIER ST

CHARLESTON, WV 25311 304-558-8045

DATE PRINTED 09/17/2013

BID OPENING DATE	10/22/	2013			BID	OPENING TIME	1:	30PM
LINE	QUANTITY	UOP	CAT. NO.	ITEM N	UMBER	UNIT PRICE		AMOUNT
	THE MODEL/BR THE ACCEPTAB INTENDED TO PARTICULAR B ALTERNATES S LITERATURE A INFORMATION REJECTION OF TO WAIVE MING IN ACCORDANC: VIRGINIA LEG	NG AFF INSTR E WORK NSTRUC AND/SP LE LEV REFLEC RAND O HOULD ND SPE FOR AN THE B OR IRR E WITH ISLATI	'IDAV UCTIO PLACE TION ECIFI EL OS R VEN SO SI CIFIC Y ALI ID. EGULA SECT VE RU	TT DNS AND IT E AFFIDAY BID SUBN CATIONS F QUALITY PREFERENCE TOOR. VECATE AND CATIONS. TERNATES THE STATE TION 148- LES AND	FORM /IT /ISSION I NAMED HI / ONLY AI / ONLY A	ND ARE NOT YOR ANY HO ARE BIDDIN PERTINENT TO PROVIDE FROUNDS FOR YES THE RIGHT OR SPECIFICAT	ng Tions	139,800.00
GNATORE THE	o nuoruall				TELEPHONE 304-748	-3338	DATE Nov	7. 7,2013
Preside	ent FE	47-09	94774	5	AP 37 - 2 7 10 100 AF			O BE NOTED ABOVE

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:_	N – F	owe	11	Company	Ι,	Inc.	
Contractor's License	No	WV	03	7247			

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 AFFIDAVIT: 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.
 - **2.1 DRUG-FREE WORKPLACE POLICY:** Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article.

The awarding public authority may cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

3. DRUG FREE WORKPLACE REPORT: Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

Revised 08/21/2013

11. MISCELLANEOUS:

11.1. Contract Manager: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: __Thomas Bioux
Telephone Number: _304-748-3338
Fax Number: _304-748-2307
Email Address: _tom@npowe11.com

REQUEST FOR QUOTATION PRI14204

RFQ # PRI14204

ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, AND SUPPLIES NECESSARY FOR PAINTING, REPAIRS AND INSTALLATION OF WINDOWS AT THE WV CORRECTIONAL INDUSTRIES OFFICE LOCATED IN CHARLESTON, WV.

PRICING PAGE – REVISED BY ADDENDUM NO. 2 – 10/24/13

Bidder's Company Nar	me: N-Pow	ell Company,	Inc.		
Bidder's Address: P.	O. Box 23	9 / 3828 Mai	n Street		
We	irton, WV	26062			
Remittance Address: _ (If different)					
Phone Number: 304	-748-3338				
Fax Number: 304	-748-2307				
Email Address:ni	chole@npo	well.com			
WV Contractor's Licen	se Number: _	WV 037247			
We, the undersigned, he in a workmanlike mann	ereby propose ter, as describe	to furnish all materia	als, equipment, and	d labor to complete all	work
TOTAL OVERALL CO	OST (to include lacement of sev	e the following – pai ven (7) windows):	inting of the build	ing including 20 repair	rs to
ONE hundred	I thirty A	The thouse	ud zight i	hundred dollar	\$ 2 00/100
(\$ 139,800.00	,) (Total Overall	Cost to be written	n in words and number	rs.)
Costs of additional pate	h-work repairs	:			
Description	Qty.	Unit of Measure	Unit Price	Extended Price	
Additional Patch- Work Repairs	30	Each	\$ 140,00	\$ H. 200:00	

REQUEST FOR QUOTATION PRI14204

Number of Gallons of Paint – Per Section 4.1.1

630	
The contract will be awarded to the vendor Bidder understands that to the extent allowed by the West Virginia Code, to waive any informality or irregularity in any Bid, or Bids, and to reject part; to reject a bid not accompanied by the required bid security or by ot Documents; to reject any conditions of the bid by the Bidder that is in any requirements, terms, and conditions of the Bidding Documents; or to reject incomplete or irregular.	any or all Bids in whole or in her data required by the Bidding y way inconsistent with the
RESPECTFULLY SUBMITTED:	
DATE:November 7, 2013	_
WV VENDOR NO.: <u>*611110719</u>	
CONTRACTOR LIÇENSE NO.: WV 037247 BY: (SIGNATURE, IN INK)	-
TITLE: President	- -
FIRM NAME: N-Powell Company, Inc.	(CORPORATE SEAL
ADDRESS: P.O. Box 239/3828 Main Street	IF APPLICABLE)
Weirton, WV 26062 END OF BID FORM	

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.

N-Powell Company, Inc.				
(Company)				
Mulau P. Nochattall				
(Authorized Signature)				
Nichole P. Northcraft, President				
(Representative Name, Title)				
304-748-3338 304-748-2307				
(Phone Number) (Fax Number)				
e Section and additional section of the section of				
November 7, 2013				
(Date)				

RFQ No.	PRT14204
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Purchasing Affidavit (Revised 07/01/2012)

STATE 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:

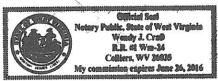
"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due 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 exceed 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: N-Powell Company, Inc. Vendor's Name: Date: November 7, 2013 County of Brooke, to-wit: Taken, subscribed, and sworn to before me this 7 day of No Vender, 2013. My Commission expires Quine 26, 20/6. AFEIX SEAL HERE NOTARY PUBLIC Wendy 9.





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

STATE OF WEST VIRGINIA,					
COUNTY OF Brooke , TO-WIT:					
I, <u>Nichole P. Northcraft</u> , after being first duly sworn, depose and state as follows:					
1. I am an employee of N-Powell Company, Inc. ; and, (Company Name)					
2. I do hereby attest that $\frac{N-Powell\ Company,\ Inc.}{(Company\ Name)}$					
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: Muhall & Molallat					
Title: President					
Company Name: N-Powell Company, Inc.					
Date: November 7, 2013					
Taken, subscribed and sworn to before me this day of November, 2013					
By Commission expires					
Official Seel Notary Public, State of West Virginia Wesdy J. Creft R.R. 41 Was-24 Colliers, WV 26035 My commission cipiras June 26, 2016 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.

ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: PRI14204

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.

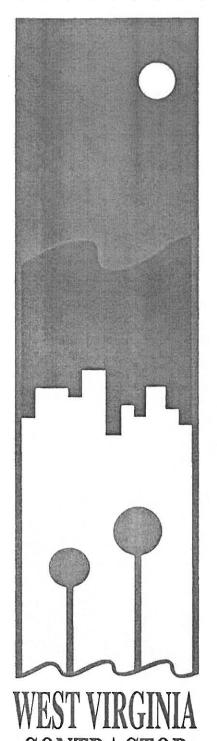
(Chec	k th	e bo	ox next to each addendum rece	eive	d)	
	[x]	Addendum No. 1	[]	Addendum No. 6
	[_X]	Addendum No. 2	[]	Addendum No. 7
	[]	Addendum No. 3	[]	Addendum No. 8
	[]	Addendum No. 4	[]	Addendum No. 9
	[]	Addendum No. 5	[]	Addendum No. 10

Addendum Numbers Received:

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.

N-Powell	Company,	Inc.
	Comp	oany
M	mon P.	Dobell H.
V	Auth	orized Signature
November	7, 2013	
	Date	

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



CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number:

WV037247

Classification:

GENERAL BUILDING

N-POWELL COMPANY INC DBA N-POWELL COMPANY INC PO BOX 239 WEIRTON, WV 26062

Date Issued

Expiration Date

JULY 12, 2013

JULY 12, 2014

Authorized Company Signature

Chair, West Virginia Contractor

Licensing Board

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

	000054
Agency REQ.P.O#	PRI14204

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, _	N-Powell Company, Inc.
of Weirton West Virginia	as Principal, and Western Surety Company
	rganized and existing under the laws of the State of
- Entering the second s	as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent (5%) of Bid	(\$) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, adm	ninistrators, executors, successors and assigns.
The Condition of the above obligation is such that whereas the Prin	ncipal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and mad Paint, Removal, and Install New Windows, and Exterior Repairs to the E	de a part hereof, to enter into a contract in writing for existing Building at the WV Correctional Industries Office
Solicitation Number PRI14204	and the state of t
NOW THEREFORE,	
(a) If each hid shall be rejected or	
(b) If said bid shall be accepted and the Principal shall enter if attached hereto and shall furnish any other bonds and insurance required by the agreement created by the acceptance of said bid, then this obligation shall trull force and effect. It is expressly understood and agreed that the liability of event, exceed the penal amount of this obligation as herein stated.	e bid or proposal, and shall in all other respects perform ne null and void, otherwise this obligation shall remain in
The Surety, for the value received, hereby stipulates and agrees that t way impaired or affected by any extension of the time within which the Obligative notice of any such extension.	the obligations of said Surety and its bond shall be in no ee may accept such bid, and said Surety does hereby
WITNESS, the following signatures and seals of Principal and Surety,	executed and sealed by a proper officer of Principal and
Surety, or by Principal individually if Principal is an individual, this 22 day of	
Principal Soal	N-Powell Company, Inc. (Name of Principal)
	(Must be President, Vice President, of Duly Authorized Agent)
	President (THIO)
Surety Seal	Western Surety Company (Name of Surety)
	Maggie Loeser Atlorney-In-Fact

IMPORTANT — Surety executing bonds must be licensed in West Virginia to transact surety insurance, must affix its seal, and must attach a power of attorney with its seal affixed.

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

Mark N Coleman, Frank P Middelberg, Kyp L Ross, Lori A Proch, Gary E Roadruck, Robert W Lampus, Faith A Studeny, Kathy Van Tassel, Linda M Cowin, Louis A Colagrossi, Sandy Kruger, Maggie Loeser, Individually

of Cleveland, OH, 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 3rd day of October, 2012.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota County of Minnehaha

ss

On this 3rd day of October, 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	comm	ission	expires

J. MOHR

NOTARY PUBLIC SEAL
SOUTH DAKOTA SEAL

John

Mohr, Notary Public

CERTIFICATE



WESTERN SURETY COMPANY

J. Relson/ 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.

WESTERN SURETY COMPANY Sioux Falls, South Dakota Statement of Net Admitted Assets and Liabilities December 31, 2012

<u>ASSETS</u>	
Bonds Stocks Cash and short-term investments Uncollected premiums and agents' balances Amounts recoverable from reinsurers Net deferred tax asset Electronic data processing equipment and software Investment income due and accrued Other assets Total Assets	\$1,544,217,378 23,405,721 85,332,658 32,034,747 163,180 23,141,708 47,102 18,997,674 5,203,942 \$1,732,544,110
LIABILITIES AND SURPLUS	
Losses Loss adjustment expense Contingent and other commissions payable Other expense Taxes, licenses and fees Unearned premiums Other liabilities Total Liabilities	\$310,752,443 79,546,495 6,404,001 1,046,332 1,652,483 249,533,795 31,210,018 680,145,567
Surplus Account: Capital paid up Gross paid in and contributed surplus Unassigned funds Surplus as regards policyholders Total Liabilities and Capital \$4,000,000 280,071,836 768,326,707	\$1,052,398,543 \$1,732,544,110
I, Of B. Magana, Assistant Vice President of Western Surety Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2012, as filed with the various labourance Departments and is a true and correct statement of the condition of Western Surety Company as of that date.	
Western Surety Company	

Subscribed and sworn to me this ____ March $_{--}$ day of $_{--}$ *KATHLEEN M. SCHROEDER
Notary Public, State of Illinois
My Commission Expires 08/16/15 My commission expires: Notary Public