



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation
 09 - Construction

Proc Folder: 569801

Doc Description: Addendum 2 - SBVR Ties and Surfacing

Proc Type: Central Purchase Order

Date issued	Solicitation Closes	Solicitation No	Version
2019-05-21	2019-05-30 13:30:00	CRFQ 0804 RMA1900000004	3

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Name, Address and Telephone Number:

Queen City Railroad Constr. Inc
 2709 Byington Solway Road
 Knoxville TN 37931
 Ph 8656921902 Fax 8656946356
 Mark Edmands President ext 231

RECEIVED

2019 MAY 30 AM 10:00

WV PURCHASING
 DIVISION

FOR INFORMATION CONTACT THE BUYER

Linda B Harper
 (304) 558-0468
 linda.b.harper@wv.gov

Signature X

FEIN # 31-0997821

DATE 5/30/19 Type text here

All offers subject to all terms and conditions contained in this solicitation

ADDITIONAL INFORMATION:

Addendum 2 issued for the following reasons:

1. To publish a copy of vendor questions with responses.

No other changes

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Replace 6000 crossties	6000.00000	EA	117.45	704,700.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Extended Description :

Replace 6000 crossties between MP32-42 on SBVR - This includes tamping of this area.

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Gaging of Additional Ties	900.00000	FT	9.80	8,820.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Extended Description :

Gaging of additional ties - 900 feet

INVOICE TO		SHIP TO	
STATE RAIL AUTHORITY 120 WATER PLANT DR		STATE RAIL AUTHORITY (DBA) SOUTH BRANCH VALLEY RAILROAD 120 WATER PLANT DR	
MOOREFIELD	WV26836	MOOREFIELD	WV 26836
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Additional Surfacing -	10.80000	MILE	4,865. ⁰⁰	52,542. ⁰⁰

Comm Code	Manufacturer	Specification	Model #
72141603			

Extended Description :
Continual Surfacing between MP15.5 - 16.8 & MP 22 - 31.5.

Exhibit A

Replace Crossties and Surface on the SBVR					
Line	Description	Unit of	Unit	Quantity	Extended
Item	Replace Crossties and	Measure	Cost	Needed	Cost
1	Replace 6,000 crossties between MP 32-42	Each	\$ 117.45	6,000	\$ 704,700.00
	(This includes tamping of this area)				
2	Gaging of additional Ties	Ft	\$ 9.80	900	\$ 8,820.00
3	Continual Surfacing between MP15.5-16.8 & MP 22-31.5	Per Mile	\$ 4,865.00	10.8	\$ 52,542.00
			Total Bid Amount \$ 766,062.00		

SOLICITATION NUMBER: RMA1900000004

Addendum Number: 1

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- | Modify bid opening date and time
- | Modify specifications of product or service being sought
- | Attachment of vendor questions and responses
- | Attachment of pre-bid sign-in sheet
- | Correction of error
- | Other

Description of Modification to Solicitation:

Addendum 1 issued for the following reasons:

1. To modify the bid opening date and time to 05/30/2019, 1:30 p.m. in order to give the agency more time to respond to vendor questions. Responses to vendor questions will follow in a separate addendum.
2. To publish a copy of the mandatory pre-bid sign-in sheet.

No other changes

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

ATTACHMENT A

CRFQ
Request for Proposal No. RMA19*4

SIGN IN SHEET
PLEASE PRINT

Page 1 of 2
Date: 5-7-19

* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Amitrac Railroad Contractors</u>	<u>9436 Earley Drive</u>	PHONE <u>301-797-3730</u>
Rep: <u>Robert Matthews</u>	<u>Hagerstown, MD 21740</u>	TOLL FREE
Email Address: <u>RMatthews@Amitracmd.com</u>		FAX <u>301-797-3740</u>
Company: <u>RailWorks Track Systems</u>	<u>8485 210 street West,</u>	PHONE <u>952-463-5849</u>
Rep: <u>Michael Rood</u>	<u>Lakeville, MN - 55044</u>	TOLL FREE
Email Address: <u>mrood@railworks.com</u>		FAX <u>952-469-1926</u>
Company: <u>QUEEN CITY RR CONSTR.</u>	<u>2807 Byington-Solway Rd</u>	PHONE <u>865-692-1902</u>
Rep: <u>TOM RAHLER</u>	<u>KNOXVILLE, TN 37931</u>	TOLL FREE
Email Address: <u>TRAHLER@QCIK.COM</u>		FAX <u>865-694-6356</u>
Company: <u>Frontier Rail Road services LLC</u>	<u>100 Brady Pl</u>	PHONE <u>724-953-6089</u>
Rep: <u>JAMES GARRISON</u>	<u>New Stanton P.A 15672</u>	TOLL FREE
Email Address: <u>Jgarrison@FrontierRailRoad LLC</u>		FAX
Company: <u>CTW</u>	<u>PO Box 129</u>	PHONE <u>804-725-1111</u>
Rep: <u>GEORGE ANDERSON</u>	<u>PORT WAYWOOD, VA</u>	TOLL FREE
Email Address: <u>GEORGE@CTWLLC@Aol.com</u>	<u>23138</u>	FAX <u>804-725-1065</u>

CRFQ

SIGN IN SHEET

Page 2 of 2

Request for Proposal No. RMA19*4

PLEASE PRINT

Date: 5-7-19

* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>GIW Peoples Contracting CO. INC</u> Rep: <u>Timothy E. Spencer</u> Email Address: <u>Tspencer@GIWPeoples.com</u>	<u>381 Mansfield Ave</u> <u>Suite 100 P. Htsburg PA</u> <u>15220</u>	PHONE <u>412-276-2342</u> TOLL FREE FAX <u>412-276-2325</u>
Company: <u>STX Corporation</u> Rep: <u>Matthew Pitsenburger</u> Email Address: <u>Matthew.P@stxrailroad.com</u>	<u>111 Petrol pt</u> <u>Suite 204 Peachtree city</u> <u>30269</u>	PHONE <u>478 755 4860</u> TOLL FREE FAX <u>770 487 1022</u>
Company: _____ Rep: _____ Email Address: _____	_____ _____ _____	PHONE _____ TOLL FREE FAX _____
Company: _____ Rep: _____ Email Address: _____	_____ _____ _____	PHONE _____ TOLL FREE FAX _____
Company: _____ Rep: _____ Email Address: _____	_____ _____ _____	PHONE _____ TOLL FREE FAX _____

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: RMA1900000004

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.

Queen City Railroad Const

Company



Authorized Signature

5/30/19

Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.
Revised 6/8/2012

SOLICITATION NUMBER: RMA1900000004

Addendum Number: 2

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- | Modify bid opening date and time
- | Modify specifications of product or service being sought
- | Attachment of vendor questions and responses
- | Attachment of pre-bid sign-in sheet
- | Correction of error
- | Other

Description of Modification to Solicitation:

Addendum 2 issued for the following reasons:

1. To publish a copy of vendor questions with responses.

No other changes

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
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ATTACHMENT A

CRFQ RMA1900000004

SBVR Ties and Surfacing

Vendor Questions

- Q.1. On previous projects the required ties were always IG Ties, this project calls for Grade 5 Ties, is this correct?
- A.1. Yes, but we will allow - An 80/20 mix that is 80% of ties will 7" x 9" x 8'-6" & 20% of the ties will be 7" x 8" x 8'-6" in accordance with Chapter 3 of the AREMA manual.
- Q.2. What time of the day does the freight come through and what time does it return Monday through Thursday?
- A.2. The freight schedule is on no set time. In most cases there should be no more than a 1-hour delay. Estimate 90% of the time should be no more than one interruption per day.
- Q.3. Can you provide a list of Sidings we can clear up and their Mile Post Locations?
- A.3. Sycamore Siding – MP 31.9, Hardy County Siding – MP 38.6 & Moorefield Yard – MP 39.3
- Q.4. When will a Contract and a Notice to Proceed be issued after the bid opening?
- A.4. As soon as approvals & paperwork can be completed after bid opening, a contract will be awarded and a notice to proceed will be issued.
- Q.5. The specifications paragraph 1.3.1 call for the ties to be 7" x 9" x 8'-6" grade 5 ties. Will a (80/20 mix) that is 80% of ties will be 7"x 9" x 8'-6" & 20% of the ties will be 7" x 8" x 8'-6", in accordance to Chapter 3 of the AREMA manual.
- A.5. Yes – See A1
- Q.6. Work Schedule – the specification paragraph 1.2.2 says that the train schedule “should result in an average of no more than an hour a day disruption”. Is this “interruption” to be one (1) time during the working day for one (1) hour?
- A 6. See A.2.
- Q.7. Does the SBVR unload the ballast referenced in paragraph 1.3.3?
- A7. Yes

Q.8. The SBVRR forces are to remove and reinstall 21 crossings within the limits of the crosstie changeout area when we bring in our surfacing unit to tamp the 10 miles of track in this area. As the tie unit will have completed all work by the time we bring in our surfacing unit, we assume that there will be no ties to change out in any of the crossings. Please confirm.

A.8. If there are any ties to replace in the crossings, the crossings will be cleaned out ahead of the tie gang to allow change out.

Q.9. Are there any dual cut or tight areas within the tie change out area that would restrict the removal or insertion of the crossties?

A.9. NO

Q.10. The spec calls for Grade 5 Ties, is an 80/20 mix allowable?

A.10. See A.1.

Q.11. Please confirm that this project does not require any special wage rates.

A.11. This job does not require prevailing wages

Q.12. Please advise on the estimated times and anticipated downtime for train traffic Monday through Thursday.

A.12. See A.2.

Q.13. Ties are to be gaged at 56 ½ as well as any adjacent ties. Please clarify how many adjacent ties will have to be gauged and should we expect a lot of gauge issues outside of the 900' Bid Item?

A.13. There will be no gauging necessary outside of the 900' that is marked.

Q.14. Please advise whether the crossties are required to be 100% Grade 5 ties or a 7" AREMA Mix of 80% Grade 5 and 20% Grade 4 will be allowed.

A.14. See A.1.

Q.15. It was mentioned at the prebid meeting that the SBVR is going to remove and put back all crossings for us. Additionally, if they fell behind due to how much track the production tamer surfaces in a day that we would just surface into and out of the crossings, is this correct?

A.15. YES

Q.16. SBVR to furnish and install all ballast, how will this be scheduled with our work and should we expect any delays to our production from it?

A.16. NO, there will be no delays

Q.17. I went to a couple of crossings after the pre-bid meeting and noticed some anchors and spikes laying beside the tracks. Are we required to pick up any material left over from previous jobs or just what we take out?

A.17. there is very little scrap in the work area, but to assure clean-up is complete, plan to pick up all debris in the work area.

Q.18. Please advise on the excursion train schedule and how that may interfere with our scope of work.

A.18. The excursion train will only interfere with the tie gang on the last Saturday of every month when they do an all-day excursion to Petersburg. The additional tamping will be interfered with the entire month of October and all weekends.

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| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

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Queen City Railroad Constr. Inc.

Company



Mark Edmands President Authorized Signature

5/30/19

Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.
Revised 6/8/2012

**ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.:**

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| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

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Queen City Railroad Construction Inc.
Company


Authorized Signature Mark Edmands


President

Date

5/30/19

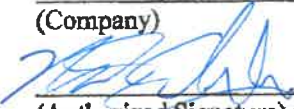
NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

 President
(Name, Title)
Mark Edmands President
(Printed Name and Title)
2709 Byington Solway Road Knoxville TN 37931
(Address)
Ph 8656921902 Fax 8656946356
(Phone Number) / (Fax Number)
medmands@qcik.com
(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Queen City Railroad Constr. Inc
(Company)

 Mark Edmands President
(Authorized Signature) (Representative Name, Title)

Mark Edmands President
(Printed Name and Title of Authorized Representative)

5/30/19
(Date)

Ph 8656921902 Fax 8656946356
(Phone Number) (Fax Number)

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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 §81-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: Queen City Railroad Construction Inc.

Authorized Signature: [Signature] Date: 5/30/19

State of Tennessee

County of Knox, to-wit:

Taken, subscribed, and sworn to before me this 30 day of May, 2019

My Commission expires 4/4, 2020.

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]
Laura Yoakum

Purchasing Affidavit (Revised 01/19/2018)



West Virginia Ethics Commission



Disclosure of Interested Parties to Contracts

Pursuant to *W. Va. Code* § 6D-1-2, a state agency may not enter into a contract, or a series of related contracts, that has/have an actual or estimated value of \$1 million or more until the business entity submits to the contracting state agency a Disclosure of Interested Parties to the applicable contract. In addition, the business entity awarded a contract is obligated to submit a supplemental Disclosure of Interested Parties reflecting any new or differing interested parties to the contract within 30 days following the completion or termination of the applicable contract.

For purposes of complying with these requirements, the following definitions apply:

"Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership or corporation, but does not include publicly traded companies listed on a national or international stock exchange.

"Interested party" or *"Interested parties"* means:

- (1) A business entity performing work or service pursuant to, or in furtherance of, the applicable contract, including specifically sub-contractors;
- (2) the person(s) who have an ownership interest equal to or greater than 25% in the business entity performing work or service pursuant to, or in furtherance of, the applicable contract. (This subdivision does not apply to a publicly traded company); and
- (3) the person or business entity, if any, that served as a compensated broker or intermediary to actively facilitate the applicable contract or negotiated the terms of the applicable contract with the state agency. (This subdivision does not apply to persons or business entities performing legal services related to the negotiation or drafting of the applicable contract.)

"State agency" means a board, commission, office, department or other agency in the executive, judicial or legislative branch of state government, including publicly funded institutions of higher education: Provided, that for purposes of *W. Va. Code* § 6D-1-2, the West Virginia Investment Management Board shall not be deemed a state agency nor subject to the requirements of that provision.

The contracting business entity must complete this form and submit it to the contracting state agency prior to contract award and to complete another form within 30 days of contract completion or termination.

This form was created by the State of West Virginia Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV 25301-1804. Telephone: (304)558-0664; fax: (304)558-2169; e-mail: ethics@wv.gov; website: www.ethics.wv.gov.

West Virginia Ethics Commission
Disclosure of Interested Parties to Contracts

(Required by W. Va. Code § 6D-1-2)

Name of Contracting Business Entity: Queen City Railroad Constr Inc **Address:** 2709 Byington Solway Road Knoxville TN 37931

Name of Authorized Agent: Mark Edmands President **Address:** 2709 Byington Solway Road Knoxville TN 37931

Contract Number: CRFQ 0804 RMA 1900000004 **Contract Description:** SBVR Ties and Surfacing

Governmental agency awarding contract: State of West Virginia State Rail Authority South Branch Valley Railroad

Check here if this is a Supplemental Disclosure

List the Names of Interested Parties to the contract which are known or reasonably anticipated by the contracting business entity for each category below (attach additional pages if necessary):

1. Subcontractors or other entities performing work or service under the Contract

Check here if none, otherwise list entity/individual names below.

2. Any person or entity who owns 25% or more of contracting entity (not applicable to publicly traded entities)

Check here if none, otherwise list entity/individual names below.

3. Any person or entity that facilitated, or negotiated the terms of, the applicable contract (excluding legal services related to the negotiation or drafting of the applicable contract)

Check here if none, otherwise list entity/individual names below.

Signature: 
Mark Edmands President

Date Signed: 5/30/19

Notary Verification

State of Tennessee, County of Knox:

I, Mark Edmands, the authorized agent of the contracting business entity listed above, being duly sworn, acknowledge that the Disclosure herein is being made under oath and under the penalty of perjury.

Taken, sworn to and subscribed before me this 30th day of May, 2019.


Laura Yoakum

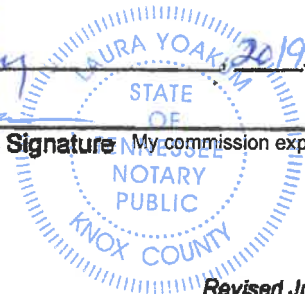
Notary Public's Signature My commission expires 4/4/20

To be completed by State Agency:

Date Received by State Agency: _____

Date submitted to Ethics Commission: _____

Governmental agency submitting Disclosure: _____



Revised June 8, 2018



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

STATE OF ~~WEST VIRGINIA~~ Tennessee

COUNTY OF Knox, TO-WIT:

I, Mark Edmands, after being first duly sworn, depose and state as follows:

1. I am an employee of Queen City Railroad Constr. Inc.; and,
(Company Name)
2. I do hereby attest that Queen City Railroad Constr. Inc.
(Company Name)

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

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

Printed Name: Mark Edmands

Signature: [Handwritten Signature]

Title: President

Company Name: Queen City Railroad Constr Inc

Date: 5/30/19

Taken, subscribed and sworn to before me this 30th day of May, 2019.

By Commission expires 4/4/2020

(Seal)



[Handwritten Signature]
(Notary Public) Laura Yoakum

CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number: WV001288

Classification:

SPECIALTY

QUEEN CITY RAILROAD CONSTRUCTION IN
DBA QUEEN CITY RAILROAD CONSTRUCTION IN
2709 BYINGTON SOLWAY RD
KNOXVILLE, TN 37931

Date Issued

Expiration Date

AUGUST 14, 2018

AUGUST 14, 2019


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.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Queen City Railroad Construction, Inc.
_____ of Knoxville, _____, TN, as Principal, and Fidelity and Deposit Company of
Maryland of Schaumburg, _____, IL, a corporation organized and existing under the laws of the State of
_____ IL with its principal office in the City of _____, IL, 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
CRFQ RMA1900000004 South Branch Valley Railroad-2019 Ties and Resurfacing, Moorefield, WV

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
16th day of May, 2019.

Principal Corporate Seal

Queen City Railroad Construction, Inc.
(Name of Principal)

By: [Signature]
(Must be President or Vice President)

President
(Title)

Surety Corporate Seal



Fidelity and Deposit Company of Maryland
(Name of Surety)

By: Patricia Lewis
Patricia L. Lewis Attorney-in-Fact

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

Bond Number Bid Bond

Obligee State of West Virginia

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Patricia L. Lewis**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

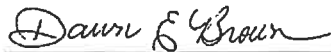
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 24th day of January, A.D. 2019.

ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By: *Robert D. Murray*
Vice President



By: *Dawn E. Brown*
Secretary

State of Maryland
County of Baltimore

On this 24th day of January, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 16th day of May, 2019 .



Michael C. Fay
Michael C. Fay, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577