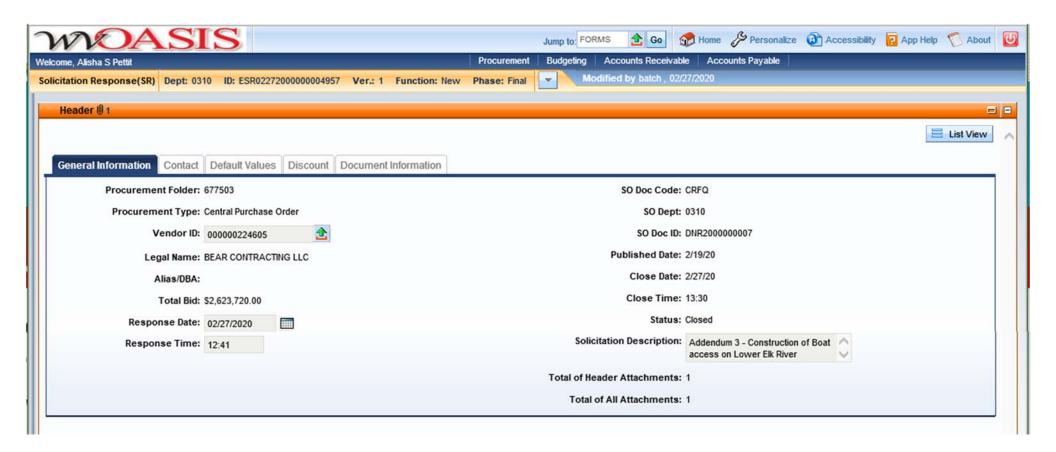
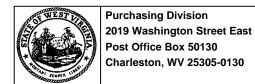


2019 Washington Street, East Charleston, WV 25305 Telephone: 304-558-2306 General Fax: 304-558-6026

Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at *wvOASIS.gov*. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at *WVPurchasing.gov* with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.





State of West Virginia Solicitation Response

Proc Folder: 677503

Solicitation Description: Addendum 3 - Construction of Boat access on Lower Elk River

Proc Type: Central Purchase Order

 Date issued
 Solicitation Closes
 Solicitation Response
 Version

 2020-02-27 13:30:00
 SR
 0310 ESR02272000000004957
 1

VENDOR

000000224605

BEAR CONTRACTING LLC

Solicitation Number: CRFQ 0310 DNR2000000007

Total Bid: \$2,623,720.00 **Response Date:** 2020-02-27 **Response Time:** 12:41:49

Comments:

FOR INFORMATION CONTACT THE BUYER

Guy Nisbet (304) 558-2596 guy.l.nisbet@wv.gov

Signature on File FEIN # DATE

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

Page: 1 FORM ID: WV-PRC-SR-001

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Marine construction services				\$2,623,720.00

Comm Code	Manufacturer	Specification	Model #	
72141200				

Extended Description:

Construction of five (5) new boat access ramps along the Lower Elk River. Revised Exhibit A Pricing Page dated: 02/14/2020 per Addendum No.02



State of West Virginia

PURCHASING DIVISION

Construction Bid Submission Review Form

This list has been provided for informational purposes only and is not to be construed as a complete list of request for quotation or bidding requirements for any individual construction project. This list does not and cannot include every item, mistake or oversight that could cause a contractor's bid to be disqualified. Rather, this list is intended to draw attention to some of the most common problems that the Purchasing Division encounters in the bidding process for construction projects. All potential bidders must read the request for quotation, all additional documents, and all instructions relating thereto ("Bid Documents") in their entirety to identify the actual request for quotation and bidding requirements. Failure to read the Bid Documents in their entirety and comply with the stated requirements contained therein may result in bid

Errors That Shall Be Reason for Immediate Bid Disqualification

- 1. Failure to attend a mandatory pre-bid meeting
- 2. Failure to sign the bid
- 3. Failure to supply a valid bid bond or other surety approved by the state of West Virginia
- 4. Failure to meet any mandatory requirement of the solicitation
- 5. Failure to acknowledge receipt of Addenda (only if stipulated as mandatory)
- 6. Failure to submit bid prior to the bid opening date and time
- 7. Federal debarment
- 8. State of West Virginia debarment or suspension

Errors that May Be Reason for Bid Disqualification Before Contract Award

- 1. Debt to the state or political subdivision (must be cured prior to award)
- 2. Workers' Compensation or Unemployment Compensation delinquency (must be cured prior to award)
- 3. Not registered as a vendor with the state of West Virginia (must be cured prior to award)
- 4. Failure to obtain required bonds and/or insurance
- 5. Failure to provide the sub-contractor listing within one business day of bid opening or one business day of the request to do so by the Purchasing Division.
- 6. Failure to supply West Virginia contractor's license number with bid or within one day of Purchasing Division request to do so.
- 7. Failure to supply a signed drug-free workplace affidavit with bid or within one day of Purchasing Division request to do so.
- 8. Failure to use the provided solicitation form (only if stipulated as mandatory).
- 9. Failure to complete the Disclosure of Interested Parties to Contracts form (if contract has an actual or estimated value of \$1 million or more; does not apply to publicly traded companies listed on national or internal stock exchange)

ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: DNR 20000007

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 recei	ved)
Addendum No. 1 Addendum No. 2 Addendum No. 3 Addendum No. 4 Addendum No. 5	Addendum No. 6 Addendum No. 7 Addendum No. 8 Addendum No. 9 Addendum No. 10
I further understand that any verbal represent discussion held between Vendor's representa	ot of addenda may be cause for rejection of this bid ation made or assumed to be made during any oral tives and any state personnel is not binding. Only to the specifications by an official addendum is
Rear Contracting, LLC Company Authorized Signature	
2-27-20 Date	
Authorized Signature 2-27-20	

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



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

State of West Virginia **Request for Quotation** 09 - Construction

Proc Folder: 677503

Doc Description: Addendum 3 - Construction of Boat access on Lower Elk River

Proc Type: Central Purchase Order

Version **Date Issued Solicitation Closes** Solicitation No 4 0310 DNR2000000007 2020-02-19 2020-02-27 **CRFQ** 13:30:00

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:

Bear Contracting, LCC P.O. Box 1196 Bridgeport, WV 26380 304-326-0160

FOR INFORMATION CONTACT THE BUYER

Guy Nisbet (304) 558-2596 guy.l.nisbet@wv.gov

Signature X

75-3079323 FEIN#

DATE 2-27-20

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

Page: 1

FORM ID: WV-PRC-CRFQ-001

ADDITIONAL INFORMATION:

Addendum

Addendum No.03 issued to publish and distribute the attached information to the vendor community.

Request for Quotation

(Construction Services - Kanawha County, Lower Elk River (5) Boating Access Site Project)

In accordance with WV Code 5A-3 and WV Code 5-22, The West Virginia Purchasing Division is soliciting bids on behalf of the Agency The WV. Division of Natural Resources (WV DNR) to establish a one-time construction contract for five (5) Boating Access sites located on the lower Elk River in Kanawha County, West Virginia (Big Chimney, Blue Creek, Clendenin-North, Coonskin, and Clendenin-South) per the specifications, terms and conditions that are a part of this solicitation and reference herein.

INVOICE TO	SHIP TO
DIVISION OF NATURAL RESOURCES PARKS & RECREATION-PEM SECTION	STATE OF WEST VIRGINIA JOBSITE - SEE SPECIFICATIONS
324 4TH AVE	
SOUTH CHARLESTON WV25305	No City WV 99999
US	US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Marine construction services	1	45	#2,623,720.00	#2,623, 20

Comm Code	Manufacturer	Specification	Model #	
72141200				

Extended Description:

Construction of five (5) new boat access ramps along the Lower Elk River. Revised Exhibit A Pricing Page dated: 02/14/2020 per Addendum No.02

	Document Phase	Document Description	Page 3
DNR200000007	Final	Addendum 3 - Construction of Boat access	of 3
		on Lower Elk River	

ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

EXHIBIT A

REVISED PRICING PAGE (02/14/2020)

Elk River Boat Ramps Project

Name of Vendor:

Bear Contracting, LLC

Address of Vendor:

P.O. Box 1196 Bridgeport, WV 26330

Phone Number of Vendor

304-326-0160

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

Base Bid

The Base Bid shall consist of construction of the facility and related work described in the drawings and specifications; Total Base Bid shall be indicated in the space below.

Total Base Bid:

Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in figures.

\$ 2,623,720.∞

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

two million six hundred twenty-three thousand seven hundred twenty dollars and zero cents

EXHIBIT A

REVISED PRICING PAGE (02/14/2020)

Elk River Boat Ramps Project

Add Alternate No. 1: Boulders - Unit Price per boulder for all labor, materials, and equipment as stipulated in the

\$950.00

Bidding Documents, written in figures.

Add Alternate No. 1: Boulders - Unit Price per boulder for all labor, materials, and equipment as stipulated in the Bidding Documents, written in words.

nine hundred fifty dollars and zero cents

Unclassified Borrow
Material: Unit Price
per cubic yard for all
labor, materials, and
equipment as stipulated
in the

\$100.00

Bidding Documents, written in figures.

Unclassified Borrow
Material: Unit Price
per cubic yard for all
labor, materials, and
equipment as stipulated
in the
Bidding Documents,
written in words.

One hundred dollars and zero cents

Unit prices for Unclassified Borrow material is for the replacement of potential unsuitable material and are for use in negotiations should a change order be necessary

	Agency
	REQ.P.O#
BID BOND	
KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned,	Bear Contracting LLC
Of PO Box 1196 Bridgeport WV 26330 Company of 301 E Fourth Street Cincinnati OH 45202, a corporation	, as Principal, and Great American Insurance
Company of 301 E Fourth Street , Cincinnati OH 45202 , a corporation	organized and existing under the laws of the State of
with its principal office in the City of Ciricumati	, as burety, are neld and limity bound unto the state
of West Virginia, as Obligee, in the penal sum of Five Percent of Bid	(\$5%) for the payment of which
well and truly to be made, we jointly and severally bind ourselves, our heirs, ad	ministrators, executors, successors and assigns.
The Condition of the above obligation is such that whereas the Pr	incipal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and ma	ade a part hereof, to enter into a contract in writing for
Construction of 8 Boat Access Ramps on Lower Elk River, Kanawha Co) WV
Account to the contract of the	
NOW THEREFORE.	
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 appartance with the hid or proposed
attached hereto and shall furnish any other bonds and insurance required by the	ne bid or proposal, and shall in all other respects perform
the agreement created by the acceptance of said bid, then this obligation shall full force and effect. It is expressly understood and agreed that the liability of	be null and void, otherwise this obligation shall remain in the Surety for any and all claims hereunder shall, in no
event, exceed the penal amount of this obligation as herein stated.	
The Curety for the value received beauty stimulates and garage that	the obligations of said Curetuand to have about he is no
The Surety, for the value received, hereby stipulates and agrees that way impaired or affected by any extension of the time within which the Oblig	the obligations of said Surety and its bond shall be in no see may accept such bid, and said Surety does hereby
waive notice of any such extension.	
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 20th day of	
Principal Seal	Bear Contracting LLC
	(Name of Principal)
	By / Wille
	/ (Must be President, Vice President, or
	MARK D. Duly Authorized Agent)
	PRESIDENT MANAGENICA MEJUBERL (Title)
Surety Seal	Great American Insurance Company
	(Name of Surety)

Attomey-in-Fact (Denise Deem)

42

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.

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET CINCINNATI, OHIO 45202 513-369-5000 FAX 513-723-2740

The number of persons authorized by TWO this power of attorney is not more than

No. 0 20880

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name

DENISE DEEM LLOYD RANDALL COBER

BOTH OF MORGANTOWN, WEST VIRGINIA Limit of Power **BOTH** \$50,000,000

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this APRIL

Attest

Assistant Secretary

GREAT AMERICAN INSURANCE COMPAN

Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

12TH On this

day of

APRIL

MARK VICARIO (877-377-2405) 2019 , before me personally appeared MARK VICARIO, to me known,

being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



Susan A. Kohorst Notary Public, State of Ohio My Commission Expires 05-18-2020

Susan a Lohoust

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisonal Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this

20th

day of

February



Assistant Secretary



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

STATE OF West Virginia	
COUNTY OF <u>Harrison</u>	_, TO-WIT:
I, Mark D. Urso , af as follows:	ter being first duly sworn, depose and state
1. I am an employee of Bear Con	(Company Name); and,
2. I do hereby attest that Bear Co	ntracting, LLC (Company Name)
maintains a valid written drug fre compliance with West Virginia	ee workplace policy and that such policy is in Code §21-1D-5.
The above statements are sworn to und	der the penalty of perjury.
	Bear Contracting, LLC
_	(Company Name)
Ву	Mark D. Urso
Tit	tle: President/Managing Member
	ate: 02/27/2020
Taken, subscribed and sworn to before	me this 27th day of February 2010
By Commission expires MAY 12	2022
Seal) OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA Barbara L. Kopp 340 So. 24th St.	Garbara A Hossa (Notary Public)
Clarksburg, WV 26301	, , ,

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.

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.

Revised June 8, 201

West Virginia Ethics Commission Disclosure of Interested Parties to Contracts

(Required by W. Va. Code § 6D-1-2)

Name of Contracting Business Entity: BEAR CONTRACTING LLL Address: P.O. BOX 1196
BRIDGEPORT, WY 26330
Name of Authorized Agent: MARIL D. URSO Address: P.O. BOX 1194 BRIDGEPORT, WN Z633C
Contract Number: Contract Description: DA LUWER ELK RWER_
Governmental agency awarding contract: STATE OF WEST VIRGINIA PURCHASING DIVISION
☐ 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 busines 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 legistervices related to the negotiation or drafting of the applicable contract) Check here if none, otherwise list entity/individual names below.
Signature: Date Signed: 2-27-20 Notary Verification
State of WEST VIRGINIA County of HARRISON :
I, MARK D. URSO, the authorized agent of the contracting busines 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 27 TH day of FEBRUARY ,2000.
Barbara & Krippo OFFICIAL SEAL
To be completed by State Agency: Date Received by State Agency: Date submitted to Ethics Commission: Governmental agency submitting Disclosure:

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.

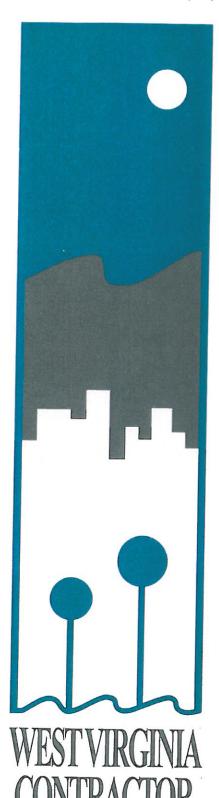
"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' 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 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: (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.

Purchasing Affidavit (Revised 01/19/2018)

My Commission Expires May 22, 2022



CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number:

Classification:

GENERAL ENGINEERING

BEAR CONTRACTING LLC DBA BEAR CONTRACTING LLC PO BOX 1196 BRIDGEPORT, WV 26330

Date Issued

Expiration Date

JUNE 10, 2019

JUNE 10, 2020

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.