



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](http://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](http://WVPurchasing.gov) with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

## Header 1

[List View](#)

## General Information

Contact

Default Values

Discount

Document Information

Procurement Folder: 678742

SO Doc Code: CRFQ

Procurement Type: Central Purchase Order

SO Dept: 1400

Vendor ID: 000000204633

SO Doc ID: AGR2000000013

Legal Name: ASPEN BUILDERS INC

Published Date: 2/18/20

Alias/DBA: ASPEN CORPORATION

Close Date: 2/25/20

Total Bid: \$456,190.00

Close Time: 13:30

Response Date: 02/24/2020

Status: Closed

Response Time: 16:49

Solicitation Description: Addendum 2-Dam Modifications

Total of Header Attachments: 1

Total of All Attachments: 1



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

**State of West Virginia  
 Solicitation Response**

**Proc Folder :** 678742  
**Solicitation Description :** Addendum 2-Dam Modifications  
**Proc Type :** Central Purchase Order

Date issued	Solicitation Closes	Solicitation Response	Version
	2020-02-25 13:30:00	SR 1400 ESR02242000000004850	1

<b>VENDOR</b>
000000204633 ASPEN BUILDERS INC ASPEN CORPORATION

**Solicitation Number:** CRFQ 1400 AGR2000000013

**Total Bid :** \$456,190.00      **Response Date:** 2020-02-24      **Response Time:** 16:49:38

**Comments:**

**FOR INFORMATION CONTACT THE BUYER**  
 Jessica S Chambers  
 (304) 558-0246  
 jessica.s.chambers@wv.gov

<b>Signature on File</b>	<b>FEIN #</b>	<b>DATE</b>
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All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Dam Modifications				\$456,190.00

Comm Code	Manufacturer	Specification	Model #
72141203			

<b>Extended Description :</b>	Dam Modifications
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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: 678742

Doc Description: Addendum 2-Dam Modifications

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Sollcitation No	Version
2020-02-18	2020-02-25 13:30:00	CRFQ 1400 AGR2000000013	4

**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:

Aspen Corporation  
 2400 Ritter Drive  
 Daniels WV 25832  
 304-763-4573

**FOR INFORMATION CONTACT THE BUYER**

Jessica S Chambers  
 (304) 558-0246  
 jessica.s.chambers@wv.gov

Signature X

*Claude R. Hill, Jr.*

FEIN # 550627766001

DATE 2-24-2020

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

**Exhibit "A"**  
**Pricing Pages 1/2**

**DAM MODIFICATIONS**  
**CEDAR LAKES DAM NO.S 1 AND 2**  
**CEDAR LAKES CONFERENCE CENTER**  
**RIPLEY, WEST VIRGINIA**

DATE: 2-24-2020

NAME OF VENDOR: Aspen Corporation

The aforementioned, hereinafter called Vendor, 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:

The Bidder is to summarize his bid prices below in both numbers and words for the Bid shown on the enclosed Bid Form. The Bidder will also complete the enclosed Bid Form in its entirety. The Bid Form includes both unit price and lump sum items (See Page 2/2).

**BASE BID:**

For the sum of: Four Hundred Fifty-Six Thousand One Hundred Ninety Dollars and Zero Cents

(\$ 456,190.00).

(Show amount in both words and numbers)

**Exhibit "A" – Bid Form Pricing -- Page 2/2**  
**DAM MODIFICATIONS**  
**CEDAR LAKES DAM NO.S 1 AND 2**  
**CEDAR LAKES CONFERENCE CENTER**  
**RIPLEY, WEST VIRGINIA**

ITEM	DESCRIPTION	BID			
		QUANTITY	UNIT	COST/UNIT	EXTENDED PRICE (\$)
1.0	SURVEYING (Max. 5% of Contract)	1.0	LS	LS	\$22,500.00
2.0	QUALITY CONTROL TESTING (Max. 5% of Contract)	1.0	LS	LS	\$16,500.00
3.0	MOB/DEMOB (Max. 10% of Contract)	1.0	LS	LS	\$45,000.00
4.0	CLEARING & GRUBBING	0.5	AC	\$6,000.00	\$3,000.00
5.0	FOOT BRIDGE REMOVAL AND REINSTALLATION - DAM NO. 2	1.0	LS	\$5,000.00	\$5,000.00
6.0	RISER AND DRAIN PIPE ABANDONMENT - DAM NO. 2	1.0	LS	\$35,000.00	\$35,000.00
7.0	EXCAVATION	2370.0	CY	\$6.00	\$14,220.00
8.0	REINFORCED CONCRETE	27.2	CY	\$1,000.00	\$27,200.00
9.0	COHESIVE FILL	225.0	CY	\$38.00	\$8,550.00
10.0	RIP RAP	243.0	CY	\$90.00	\$21,870.00
11.0	GROUTED RIP RAP	312.0	CY	\$375.00	\$117,000.00
12.0	EROSION AND SEDIMENT CONTROL	1.0	LS	\$30,000.00	\$30,000.00
13.0	SEEDING, FERTILIZING, & MULCHING	1.8	AC	\$12,000.00	\$21,600.00
14.0	DEWATERING & WATER CONTROL	1.0	LS	\$20,000.00	\$20,000.00
15.0	CRUSHED STONE AGGREGATE	750.0	TN	\$65.00	\$48,750.00
16.0	NO. 1 STONE (Stabilization)	250.0	TN	\$70.00	\$17,500.00
17.0	SEEP COLLECTOR	250.0	LF	\$10.00	\$2,500.00

**BID PRICE**

**\$ 456,190.00**

**BID SUBMITTED BY:** Aspen Corporation  
 (Contractor)

**WV CONTRACTOR'S LICENSE NO.** WV000653

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Aspen Corporation  
of Daniels, West Virginia, as Principal, and Lexon Insurance Company  
of Louisville, Kentucky, a corporation organized and existing under the laws of the State of Texas  
with its principal office in the City of Louisville, Kentucky, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent of Bid Amount (\$ 5% of Bid Amount ) 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  
AGR2000000013 - Cedar Lake Dams Modification, Ripley, 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.

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 25th day of February, 2020.

Principal Seal

Aspen Corporation

(Name of Principal)

By Claude R. Hill

(Must be President, Vice President, or  
Duly Authorized Agent)

VICE PRESIDENT

(Title)

Surety Seal

Lexon Insurance Company

(Name of Surety)

Barbara Duncan

Barbara Duncan, Attorney-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.**

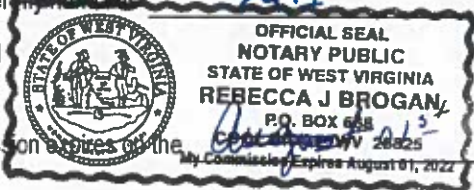


# ACKNOWLEDGMENTS


## Acknowledgment by Principal if individual or Partnership

1. STATE OF \_\_\_\_\_  
2. County of \_\_\_\_\_ to-wit:  
3. I, \_\_\_\_\_, a Notary Public in and for the  
4. county and state aforesaid, do hereby certify that \_\_\_\_\_  
whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said county.  
5. Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_  
6. Notary Seal \_\_\_\_\_  
7. \_\_\_\_\_  
(Notary Public)  
8. My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

## Acknowledgment by Principal if Corporation

9. STATE OF WEST VIRGINIA  
10. County of RALEIGH to-wit:  
11. I, Rebecca J Brogan, a Notary Public in and for the  
12. county and state aforesaid, do hereby certify that CLAUDE R. HILL  
13. who as, VICE PRESIDENT signed the foregoing writing for  
14. a corporation, has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.  
15. Given under my hand this 24TH day of FEBRUARY 2020  
16. Notary Seal   
17. Rebecca J Brogan  
(Notary Public)  
18. My commission expires on the August day of \_\_\_\_\_ 2022

## Acknowledgment by Surety

19. STATE OF Kentucky  
20. County of Jefferson to-wit:  
21. I, Leigh McCarthy, a Notary Public in and for the  
22. county and state aforesaid, do hereby certify that Barbara Duncan  
23. who as, Attorney-in-Fact signed the foregoing writing for  
24. Lexon Insurance Company a corporation,  
has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.  
25. Given Leigh McCarthy 25th day of February 2020  
26. Notary Seal   
27. Leigh McCarthy  
Leigh McCarthy (Notary Public)  
28. My commission expires on the \_\_\_\_\_ day of November 2023  
Notary ID #636095

Sufficiency in Form and Manner  
of Execution Approved

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

By: \_\_\_\_\_  
Attorney General  
(Deputy Attorney General)



# POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS, that Endurance Assurance Corporation, a Delaware corporation, Endurance American Insurance Company, a Delaware corporation, Lexon Insurance Company, a Texas corporation, and/or Bond Safeguard Insurance Company, a South Dakota corporation, each, a "Company" and collectively, "Sompo International," do hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sharyon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter as true and lawful Attorney(s)-In-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of One Hundred Million Dollars (\$100,000,000.00).

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15<sup>th</sup> day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15<sup>th</sup> day of June, 2019 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15<sup>th</sup> day of June, 2019.

Endurance Assurance Corporation  
By: *Richard M Appel*  
Richard Appel; SVP & Senior Counsel

Endurance American Insurance Company  
By: *Richard M Appel*  
Richard Appel; SVP & Senior Counsel

Lexon Insurance Company  
By: *Richard M Appel*  
Richard Appel; SVP & Senior Counsel

Bond Safeguard Insurance Company  
By: *Richard M Appel*  
Richard Appel; SVP & Senior Counsel



### ACKNOWLEDGEMENT

On this 15<sup>th</sup> day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: *Amy Taylor*  
Amy Taylor, Notary Public - My Commission Expires 5/9/23



### CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARRO, MARIANNE L. WILBERT ; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company."

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 25<sup>th</sup> day of Feb, 2020.

By: *[Signature]*  
Daniel S. Lurie, Secretary

### NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. Please read this Notice carefully.

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - <https://www.treasury.gov/resource-center/sanctions/SDN-List>.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: [LexonClaimAdministration@sompo-intl.com](mailto:LexonClaimAdministration@sompo-intl.com)

Telephone: 615-553-9500 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870

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 §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.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Aspen Corporation

Authorized Signature: Claude R. Hill, V.P.

Date: 2-24-2020

State of West Virginia

County of Raleigh, to-wit:

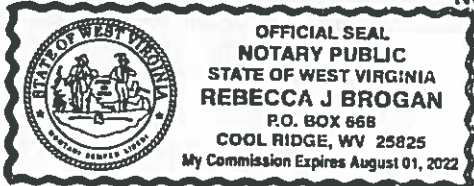
Taken, subscribed, and sworn to before me this 24th day of February, 2020.

My Commission expires August 01, 2022.

AFFIX SEAL HERE

NOTARY PUBLIC

Rebecca J Brogan  
Purchasing Affidavit (Revised 01/19/2018)







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

STATE OF WEST VIRGINIA,

COUNTY OF Raleigh, TO-WIT:

I, Claude R. Hill, after being first duly sworn, depose and state as follows:

1. I am an employee of Aspen Corporation; and,  
(Company Name)
2. I do hereby attest that Aspen Corporation  
(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: Claude R. Hill

Signature: *Claude R. Hill*

Title: Vice President

Company Name: Aspen Corporation

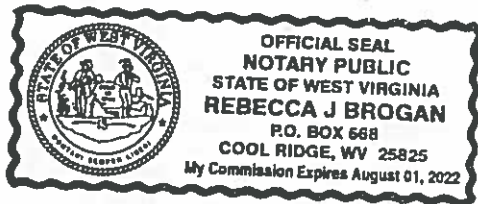
Date: 2-24-2020

Taken, subscribed and sworn to before me this 24th day of February, 2020.

By Commission expires August 01 2022

(Seal)

*Rebecca J Brogan*  
(Notary Public)



**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.

Claude R. Hill Vice President  
(Name, Title)  
Claude R. Hill Vice President  
(Printed Name and Title)  
2400 Ritter Drive Daniels WV 25832  
(Address)  
304-763-4573 304-763-4591  
(Phone Number) / (Fax Number)  
rhill@aspen-golf.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.

Aspen Corporation  
(Company)  
*Claude R. Hill, V.P.*  
(Authorized Signature) (Representative Name, Title)

Claude R. Hill Vice President  
(Printed Name and Title of Authorized Representative)

2-24-2020  
(Date)

304-763-4573 304-763-4591  
(Phone Number) (Fax Number)

**Subcontractor List Submission (Construction Contracts Only)**

Bidder's Name: Aspen Corporation

Check this box if no subcontractors will perform more than \$25,000.00 of work to complete the project.

Subcontractor Name	License Number if Required by W. Va. Code § 21-11-1 et. seq.

Attach additional pages if necessary

**REQUEST FOR QUOTATION**  
**DAM MODIFICATIONS**  
**CEDAR LAKES DAM NO.1 (ID#03501) AND NO. 2 (ID#03502)**  
**JACKSON COUNTY, WEST VIRGINIA**

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14.4. Anyone performing under this Contract will be subject to Agency's security protocol and procedures.

14.5. Vendor shall inform all staff of Agency's security protocol and procedures.

**15. MISCELLANEOUS:**

15.1. **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:** Brian Knight

**Telephone Number:** 304-763-4573

**Fax Number:** 304-763-4591

**Email Address:** bknight@aspen-golf.com

15.2. **Owner's Representative:** Owner's representative for notice purposes is

**Name:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Fax Number:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

16. **Initial Decision Maker:** Civil Tech Engineering, Inc., the Architect, shall serve as the Initial Decision Maker in matters relating to this contract.

## 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. If an apparent low bidder fails to submit a license number in accordance with this section, the Purchasing Division will promptly request by telephone and electronic mail that the low bidder and the second low bidder provide the license number within one business day of the request. Failure of the bidder to provide the license number within one business day of receiving the request shall result in disqualification of the bid. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Aspen Corporation

Contractor's License No.: WV- WV000653

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

**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 an affidavit that the Vendor has a written plan for a drug-free workplace policy. If the affidavit is not submitted with the bid submission, the Purchasing Division shall promptly request by telephone and electronic mail that the low bidder and second low bidder provide the affidavit within one business day of the request. Failure to submit the affidavit within one business day of receiving the request shall result in disqualification of the bid. To comply with this law, Vendor should complete the enclosed drug-free workplace affidavit and submit the same with its bid. Failure to submit the signed and notarized drugfree workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, within one business day of being requested to do so shall result in disqualification of Vendor's bid. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

**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 shall 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.

Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.



**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: AGR20\*013**

**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 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.

Aspen Corporation

Company  
  
Authorized Signature

2-24-2020

Date

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

# CONTRACTOR LICENSE

Authorized by the  
**West Virginia Contractor Licensing Board**

**Number:** WV000653

**Classification:**

**GENERAL BUILDING  
SPECIALTY  
LANDSCAPING**

**ASPEN BUILDERS INC  
DBA ASPEN CORPORATION  
2400 RITTER DRIVE  
DANIELS, WV 25832**

**Date Issued**

**Expiration Date**

**AUGUST 06, 2019**

**AUGUST 06, 2020**



Authorized Company Signature



Chair, West Virginia Contractor  
Licensing Board

**WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD**

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