

NOTICE

Please note this bid from Fairchance Construction Co., for the solicitation DNR2100000001 was received at the Purchasing Division office prior to the established bid-opening date and time on December 1, 2020, but did not load properly at the public bid opening. This response has since been loaded and is now posted.

A handwritten signature in blue ink that reads "Mark Totten".

Mark Totten

Technical Services Manager



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.

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- General Information
- Contact
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Procurement Folder: 788438	SO Doc Code: CRFQ
Procurement Type: Central Purchase Order	SO Dept: 0310
Vendor ID: 000000159595	SO Doc ID: DNR2100000001
Legal Name: FAIRCHANCE CONSTRUCTION CO	Published Date: 11/12/20
Alias/DBA:	Close Date: 12/1/20
Total Bid: \$5,153,500.00	Close Time: 13:30
Response Date: 12/01/2020	Status: Closed
Response Time: 13:28	Solicitation Description: District 6 - New Office Complex Construction Project
Responded By User ID: aballing	Total of Header Attachments: 2
First Name: Andrew	Total of All Attachments: 2
Last Name: Balling	
Email: aballing@fairchancecons	
Phone: 781-551-7100	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Building Construction Services				5153500.00

Comm Code	Manufacturer	Specification	Model #
72120000			

Commodity Line Comments:

Extended Description:

Construction of new office complex at District 6, Parkersburg, WV.
Vendors are to use EXHIBIT "A" Pricing Page as attached hereto for their bid submission response.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Fairchance Construction Company
_____ of Fairchance, _____ PA _____, as Principal, and Philadelphia Indemnity Insurance
Company of Bala Cynwyd, _____ PA _____, a corporation organized and existing under the laws of the State of
_____ PA _____ with its principal office in the City of _____ PA _____, 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
New office complex at District VI Office in Parkersburg, 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 1st day of December, 2020 .

Principal Seal



Fairchance Construction Company
(Name of Principal)

By [Signature]
(Must be President, Vice President, or
Duly Authorized Agent)

President
(Title)

Surety Seal



Philadelphia Indemnity Insurance Company
(Name of Surety)

By: [Signature]
Josephine M. Streyle 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.**

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

Surety Bond Number: Bid Bond
Principal: Fairchance Construction Company
Obligee: State of West Virginia

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Josephine M. Streytle its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

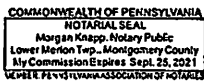
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27TH DAY OF OCTOBER, 2017.



(Seal)

Robert D. O'Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 27th day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



(Notary Seal)

Notary Public:

Morgan Knapp

residing at:

Bala Cynwyd, PA

My commission expires:

September 25, 2021

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 27th day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 1st day of December, 2020.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

**EXHIBIT A – PRICING PAGE
WV Division of Natural Resources
District 6 Office Complex**

Name of Vendor:

Fairchance Construction Co, Inc.

Address of Vendor:

PO Box 5353
77 S. Morgantown Street
Fairchance, PA 15436

Phone Number of Vendor:

(724) 564-7485

WV Contractors License No.

WV- 014525

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 bidders, 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.

"A" Base Bid

The Base Bid shall consist of all the work described in the Bidding Documents including the Plans, Project Manual, and any addendums not identified as an additive alternate.

**Total Base Bid:
Lump sum for all labor,
materials, and equipment
necessary for a complete
project.
Written in numbers.**

\$5,137,000.00

**Total Base Bid: "A"
Lump sum for all labor,
materials, and equipment
necessary for a complete
project.
Written in words.**

Five Million One Hundred Thirty Seven Thousand Dollars and
00/100

EXHIBIT A – PRICING PAGE
WV Division of Natural Resources
District 6 Office Complex

Additive Alternates

“B” Alternate No. 1 - ADD TO THE BASE BID ALL LABOR AND MATERIAL TO INSTALL ALL LABOR AND MATERIAL TO PROVIDE: Provide 3 5/8 inch Masonry veneer over continuous insulation. See Sheet A010 of the plans for Alternate wall type details. AS INDICATED ON THE ARCHITECTURAL DRAWINGS.

**Total “B” Alternate No. 1
Bid: Lump sum for all labor,
materials, and equipment
necessary for a complete
project.
Written in numbers.**

\$16,500.00

**Total “B” Alternate No. 1
Bid: Lump sum for all labor,
materials, and equipment
necessary for a complete
project.
Written in words.**

Sixteen Thousand Five Hundred Dollars and 00/100

Total Bid Amount is the TOTALS of A + B =

\$ 5,153,500.00

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFQ DNR 2100000001

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:
(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input checked="" type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input 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.

Fairchance Construction Co, Inc.

Company



Authorized Signature

12/1/2020

Date

NOTE: This addendum acknowledgement 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.



(Name, Title)
 Edward V. Balling, President

(Printed Name and Title)
 PO Box 535, Fairchance, PA 15436

(Address)
 (724)5647485 / (724) 564-7488

(Phone Number) / (Fax Number)
 eballing@fairchanceconstruction.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.

Fairchance Construction Co, Inc.

(Company)



(Authorized Signature) (Representative Name, Title)

Edward V. Balling, President

(Printed Name and Title of Authorized Representative)

12/1/2020

(Date)

(724) 564-7485 / (724) 564-7488

(Phone Number) (Fax Number)



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

I, Edward V. Balling, after being first duly sworn, depose and state as follows:

1. I am an employee of Fairchance Construction Co, Inc.; and,
(Company Name)
2. I do hereby attest that Fairchance Construction Co, 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: Edward V. Balling

Signature: 

Title: President

Company Name: Fairchance Construction Co, Inc.

Date: 12/1/2020

STATE OF WEST VIRGINIA, Pennsylvania

COUNTY OF Fayette, TO-WIT:

Taken, subscribed and sworn to before me this 1st day of December, 2020.

By Commission expires 4/2/2021

(Seal)

COMMONWEALTH OF PENNSYLVANIA
Notary Seal
Nellette Budinsky, Notary Public
Fairchance, Fayette County
My Commission Expires April 02, 2021


(Notary Public)

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: Fairchance Construction Co, Inc.

Contractor's License No.: WV- 014525

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.

**REQUEST FOR QUOTATION
WV Division of Natural Resources
District 6 Office Complex**

- 13.1. Vendor must identify principal service personnel which will be issued access cards and/or keys to perform service.
- 13.2. Vendor will be responsible for controlling cards and keys and will pay replacement fee, if the cards or keys become lost or stolen.
- 13.3. Vendor shall notify Agency immediately of any lost, stolen, or missing card or key.
- 13.4. Anyone performing under this Contract will be subject to Agency's security protocol and procedures.
- 13.5. Vendor shall inform all staff of Agency's security protocol and procedures.

14. MISCELLANEOUS:

- 14.1. **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: Edward V. Balling, President

Telephone Number: (724) 564-7485

Fax Number: (724) 564-7488

Email Address: eballing@fairchanceconstruction.com

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

Name: Bradley S. Leslie, PE, WV DNR Chief Engineer

Telephone Number: 304 558 2764

Fax Number: 304 558 0077

Email Address: brad.s.leslie@wv.gov

- 15. **Initial Decision Maker:** Pickering Associates, the Architect, shall serve as the Initial Decision Maker in matters relating to this contract.