



West Virginia Purchasing Division

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.

Header 1

List View

General Information

Contact

Default Values

Discount

Document Information

Clarification Request

Procurement Folder: 837821

Procurement Type: Central Purchase Order

Vendor ID: VS0000022205

Legal Name: Rhinehart Railroad Construction, Inc.

Alias/DBA: Rhinehart Railroad Construction, Inc.

Total Bid: \$445,628.00

Response Date: 03/23/2021

Response Time: 13:13

Responded By User ID: Rhine1600

First Name: David

Last Name: Luvara

Email: DaveL@rhinehartrailroad

Phone: 4108791322

SO Doc Code: CRFQ

SO Dept: 0804

SO Doc ID: RMA2100000040

Published Date: 3/17/21

Close Date: 3/23/21

Close Time: 13:30

Status: Closed

Solicitation Description: Addendum No. 3 - Tie Installation and Tamping on SBVR

Total of Header Attachments: 1

Total of All Attachments: 1



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

**State of West Virginia
 Solicitation Response**

Proc Folder: 837821
Solicitation Description: Addendum No. 3 - Tie Installation and Tamping on SBVR
Proc Type: Central Purchase Order

Solicitation Closes	Solicitation Response	Version
2021-03-23 13:30	SR 0804 ESR03232100000006498	1

VENDOR
 VS0000022205
 Rhinehart Railroad Construction, Inc.

Solicitation Number: CRFQ 0804 RMA2100000040
Total Bid: 445628
Response Date: 2021-03-23
Response Time: 13:13:32
Comments:

FOR INFORMATION CONTACT THE BUYER

Toby L Welch
 (304) 558-8802
 toby.l.welch@wv.gov

Vendor Signature X	FEIN#	DATE
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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	Replace Crossties	2500.0000	EA	117.500000	293750.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 2,500 ties between MP 0.0 and 2.0 on SBVR

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Replace 9' switch ties	19.00000	EA	333.000000	6327.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7" x 9" x 9' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Replace 10' switch ties	13.00000	EA	336.000000	4368.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x10' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	Replace 11' switch ties	14.00000	EA	339.000000	4746.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x11' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
5	Replace 12' switch ties	8.00000	EA	340.000000	2720.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x12' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
6	Replace 13' switch ties	6.00000	EA	341.000000	2046.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x13' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
7	Replace 14' switch ties	9.00000	EA	352.000000	3168.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x14' switch ties in Green Spring yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
8	Replace 15' switch ties	8.00000	EA	356.000000	2848.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x15' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
9	Replace 16' switch ties	15.00000	EA	377.000000	5655.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Replace 7"x9"x16' switch ties in Green Spring Yard

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
10	Continual Surfacing on SBVR	12.50000	MILE	6600.000000	82500.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Tamping/Surfacing on the SBVR for an additional 12.5 miles

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
11	Ballast in Ballast Cars	1500.0000	TON	25.000000	37500.00

Comm Code	Manufacturer	Specification	Model #
72141603			

Commodity Line Comments:

Extended Description:

Supply 1,500 tons of ballast in ballast cars delivered to SBVR at Green Spring,WV

Exhibit "A"
Price Sheet

Replace Crossties and Surface on the SBVR					
Line	Description	Unit of	Unit	Quantity	Extended
Item	Replace Crossties and Surfacing on SBVR	Measure	Cost	Needed	Cost
1.1.1	Replace 2,500 crossties between MP 2.0 and MP 0.0 in Green Spring Yard	Each	\$117.50	2,500	\$ 293,750.00
	(This includes tamping of this area)				
1.1.1	Replace Switch Ties - 7" x 9" x 9'	Each	\$333.00	19	\$ 6,327 .00
1.1.1	Replace Switch Ties - 7" x 9" x 10'	Each	\$336.00	13	\$ 4,368 .00
1.1.1	Replace Switch Ties - 7" x 9" x 11'	Each	\$339.00	14	\$ 4,746.00
1.1.1	Replace Switch Ties - 7" x 9" x 12'	Each	\$340.00	8	\$ 2,720.00
1.1.1	Replace Switch Ties - 7" x 9" x 13'	Each	\$341.00	6	\$ 2,046.00
1.1.1	Replace Switch Ties - 7" x 9" x 14'	Each	\$352.00	9	\$ 3,168 .00
1.1.1	Replace Switch Ties - 7" x 9" x 15'	Each	\$356.00	8	\$ 2,848.00
1.1.1	Replace Switch Ties - 7" x 9" x 16'	Each	\$377.00	15	\$ 5,655 .00
1.1.4	Continual Surfacing between MP 2-12, 22.0-23.5 & 38.2-39.2	Per Mile	\$6,600.00	12.5	\$ 82,500.00
1.3.3	Ballast - Provided by truck*	Per Ton	\$25.00	1,500	\$ 37,500.00
<p>* Ballast cost(Item 1.3.3) includes shipping by truck to Grace Siding (MP 8.6) SBVR shall be responsible to load the ballast into our own cars and distribute. The Vendor is ONLY responsible to provide the item to the location by trucks.</p>					
Total Bid Amount:					\$ 445,628.00

Submitted By Rhinehart Railroad Construction, Inc.

David Luvara

David Luvara- Assistant Vice President

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: RMA210000040

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.

Rhinehart Railroad Construction, Inc.

Company

David Luvara

David Luvara-

Authorized Signature Assistant Vice President

3/23/21

Date

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

Revised 6/8/2012

Agency _____
REQ.P.O# _____

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Rhinehart Railroad Construction, Inc.
of Fallston, Maryland, as Principal, and Harco National Insurance Company
of Raleigh, NC, a corporation organized and existing under the laws of the State of Illinois
with its principal office in the City of Raleigh, 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%) 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
Solicitation No. CRFQ 0804 RMA2100000040; Proc Folder - 837821: Tie Installation and Tamping on SBVR

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 16th day of March, 2021.

Principal Seal

Rhinehart Railroad Construction, Inc.
(Name of Principal)

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

Assistant Vice President
(Title)

Surety Seal

Harco National Insurance Company
(Name of Surety)

[Signature]
Ryan Hays, 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.

POWER OF ATTORNEY
HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY

Member companies of IAT Insurance Group, Headquartered: 702 Oberlin Road, Raleigh, North Carolina 27605

Bond # Bid Bond
Principal Rhinehart Railroad Construction, Inc.
Obligee State of West Virginia

KNOW ALL MEN BY THESE PRESENTS: That **HARCO NATIONAL INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of Illinois, and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

Ryan Hays

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** and is granted under and by authority of the following resolution adopted by the Board of Directors of **INTERNATIONAL FIDELITY INSURANCE COMPANY** at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of **HARCO NATIONAL INSURANCE COMPANY** at a meeting held on the 13th of December, 2018

"**RESOLVED**, that (1) the Chief Executive Officer, President, Executive Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** have each executed and attested these presents on this 16th day of March, 2021



STATE OF NEW JERSEY
County of Essex

Kenneth Chapman

Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 16th day of March, 2021, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 16th day of March, 2021

Irene Martins, Assistant Secretary

HARCO NATIONAL INSURANCE COMPANY
1701 GOLF ROAD, SUITE 1-600, ROLLING MEADOWS, IL 60008

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT DECEMBER 31, 2019

ASSETS

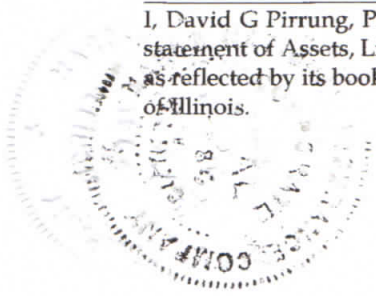
Bonds (Amortized Value)	\$69,147,050
Stocks (Preferred Stocks)	3,667,057
Stocks (Common Stocks)	856,400,268
Cash, Bank Deposits & Short Term Investments	49,896,036
Other Invested Assets	9,504,574
Unpaid Premiums & Assumed Balances	157,529,462
Deferred Premiums, Agents Balances & Installments booked	30,396,949
Reinsurance Recoverable from Reinsurers	27,228,017
Reinsurance - Funds Held by or deposited with reinsured companies ..	11,368,596
Current Federal & Foreign Income Tax Recoverable & Interest	0
Investment Income Due and Accrued	1,123,975
Receivables from Parent Subsidiaries & Affiliates	895,402
Other Assets	0
TOTAL ASSETS	<u>\$1,217,157,385</u>

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported Losses Net as to Reinsurance Ceded and Incurred But Not Reported Losses)	\$132,364,505
Reinsurance payable on paid losses & loss adjustment expense	19,228,089
Loss Adjustment Expenses	31,596,841
Commissions Payable, Contingent Commissions & Other Similar Charges ..	5,971,903
Other Expenses (Excluding Taxes, Licenses and Fees)	296,734
Taxes, Licenses & Fees (Excluding Federal Income Tax)	1,228,988
Current federal and foreign income taxes	724,851
Net Deferred Tax Liability	15,645,983
Unearned Premiums	98,148,046
Advance Premium	402,174
Ceded Reinsurance Premiums Payable	83,588,765
Funds held by Company under reinsurance treaties	14,318,856
Amounts Withheld by Company for Account of Others	5,492,288
Payable to Parent Subsidiaries & Affiliates	1,041,121
Other Liabilities	542,490
TOTAL LIABILITIES	<u>\$410,591,634</u>
Common Capital Stock	\$3,500,004
Gross Paid-in & Contributed Surplus	670,781,834
Unassigned Funds (Surplus)	<u>132,283,913</u>
Surplus as Regards Policyholders	<u>\$806,565,751</u>
TOTAL LIABILITIES, SURPLUS & OTHER FUNDS	<u>\$1,217,157,385</u>

I, David G Pirrung, President of HARCO NATIONAL INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, December 31, 2019, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of Illinois.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 28th day of February, 2020.
HARCO NATIONAL INSURANCE COMPANY



SIGNED AND SWORN to before me on this 6th day of March, 2020.

Sherrie L Major
NOTARY PUBLIC, STATE OF North Carolina

0-15

Sherrie L Major Notary Public Wake County, NC My Commission Expires May 21 2020
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West Virginia Offices of the Insurance Commissioner



Certificate of Authority

Whereas, **HARCO NATIONAL INSURANCE COMPANY**, domiciled in the State of **Illinois**, has complied with all the requirements of the laws of this State so as to entitle it to transact its appropriate business in the State of West Virginia.

Therefore, I the undersigned, Insurance Commissioner of the State of West Virginia, pursuant to the authority vested in me by the laws of this State, do hereby authorize it to transact the business of insurance as defined in Chapter 33

Surety - Article 1, Section 10(f)(3)
Surety - Article 1, Section 10(f)(2)
Casualty - Article 1, Section 10(e)
Fire - Article 1, Section 10(c)
Surety - Article 1, Section 10(f)(1)
Marine - Article 1, Section 10(d)

of the 1931 Code of West Virginia as amended, in the State of West Virginia in accordance with the laws thereof until midnight on the 31st day of May, 2021, unless this license be sooner revoked. Pursuant to W. Va. Code §33-3-2(c), the above authorization does not allow the insurer to transact a kind of insurance in this State unless duly authorized or qualified to transact such insurance in the state or country of its domicile.

In Testimony Whereof, I have hereunto set my hand and affixed my seal of office at the City of Charleston this 1st day of June, 2020.

James A. Dodrill
Insurance Commissioner

NAIC # 26433
SBS Company # 109405157

Subcontractor List Submission (Construction Contracts Only)

Bidder’s Name: Rhinehart Railroad Construction, Inc.

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

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)
Johnny Ray Wharton- General; Superintendent

(Printed Name and Title)
P.O. Box 809-Fallston, MD 21047

(Address)
(410)879-1322/ (410)879-1344

(Phone Number) / (Fax Number)
JohnnyW@rhinehartrailroad.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.

Rhinehart Railroad Construction, Inc.

(Company)

David Luvara

(Authorized Signature) (Representative Name, Title)

David Luvara- Assistant Vice President

(Printed Name and Title of Authorized Representative)

3/23/21

(Date)

(410)879-1322/ (410)879-1344

(Phone Number) (Fax Number)