



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 8

List View

General Information | Contact | Default Values | Discount | Document Information | Clarification Request

Procurement Folder: 901669

Procurement Type: Central Purchase Order

Vendor ID: 000000159595

Legal Name: FAIRCHANCE CONSTRUCTION CO

Alias/DBA:

Total Bid: \$1,383,000.00

Response Date: 10/06/2021

Response Time: 13:24

Responded By User ID: aballing

First Name: Andrew

Last Name: Balling

Email: aballing@fairchancecons

Phone: 724-564-7485

SO Doc Code: CRFQ

SO Dept: 0310

SO Doc ID: DNR2200000001

Published Date: 9/23/21

Close Date: 10/6/21

Close Time: 13:30

Status: Closed

Solicitation Description: Watters Smith State Park New Event Pavilion and Additions

Total of Header Attachments: 8

Total of All Attachments: 8

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Building and Facility Construction and Maintenance Services				1383000.00

Comm Code	Manufacturer	Specification	Model #
72000000			

Commodity Line Comments:

Extended Description:

Watters Smith Memorial State Park New Event Pavilion and Building Additions

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFQ 0310 DNR220000001

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

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


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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Fairchance Construction Co, Inc.

Company


Authorized Signature

10/6/21

Date

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

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
Watters Smith Memorial State Park New Pavilion and Building Additions 831 RR Duck Creek Road Lost Creek, WV
26385

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 6th day of October, 2021.

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]
Patti K. Lindsey 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 Patti K. Lindsey 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.

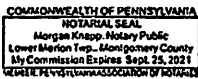
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27TH DAY OF OCTOBER, 2017.



(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 6th day of October, 2021.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY



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: 10/6/21

STATE OF ~~WEST VIRGINIA~~, PENNSYLVANIA

COUNTY OF Fayette, TO-WIT:

Taken, subscribed and sworn to before me this 6th day of October, 2021.

By Commission expires February 3, 2025

(Seal)

Commonwealth of Pennsylvania - Notary Seal
Jeannette M. Balling, Notary Public
Fayette County
My Commission Expires February 03, 2025
Commission Number 138105#

(Notary Public)

STATE OF WEST VIRGINIA
Purchasing Division
PURCHASING AFFIDAVIT

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

ALL CONTRACTS: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (*W. Va. Code §81-5-3*) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Fairchance Construction Co, Inc.

Authorized Signature:  Date: 10/6/21

State of Pennsylvania

County of Fayette, to-wit:

Taken, subscribed, and sworn to before me this 6th day of October, 2021.

My Commission expires February 3, 2025.

AFFIX SEAL HERE

NOTARY PUBLIC



Purchasing Affidavit (Revised 01/19/2018)

Commonwealth of Pennsylvania – Notary Seal
Jeannette M. Balling, Notary Public
Fayette County
My Commission Expires February 03, 2025
Commission Number 1381058



CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

DUPLICATE

Number: WV047489

Classification:
GENERAL BUILDING

FAIRCHANCE CONSTRUCTION CO
DBA FAIRCHANCE CONSTRUCTION CO
PO BOX 535
FAIRCHANCE, PA 15436

Date Issued

Expiration Date

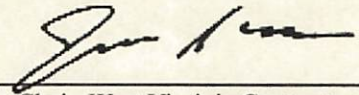
DECEMBER 07, 2020

DECEMBER 07, 2021



WEST VIRGINIA
CONTRACTOR
LICENSING
BOARD

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.

**REQUEST FOR QUOTATION
WV Division of Natural Resources
Watters Smith Memorial State Park
Pavilion Construction and Building Renovations**

12. SUBSTITUTIONS: Any substitution requests must be submitted in accordance with the official question and answer period described in the INSTRUCTIONS TO VENDORS SUBMITTING BIDS, Paragraph 4. Vendor Question Deadline.

13. FACILITIES ACCESS: Performance of Contract Services may require access cards and/or keys to gain entrance to Agency's facilities. In the event that access cards and/or keys are required:

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

Telephone Number: 724-564-7485

Fax Number: 724-564-7488

Email Address: eballing@fairchanceconstruction.com

West Virginia Ethics Commission
Disclosure of Interested Parties to Contracts

(Required by W. Va. Code § 6D-1-2)

Name of Contracting Business Entity: Fairchance Construction Co, Inc. Address: 77 S. Morgantown Street
Fairchance, PA 15436

Name of Authorized Agent: Edward V Balling Address: 77 S. Morgantown St, Fairchance PA 15436
Watters Smith Memorial Park New event

Contract Number: CRFQ 0310 DNR2200000001 Contract Description: pavilion and building maintenance

Governmental agency awarding contract: West Virginia Devision of Natural Resources

Check here if this is a Supplemental Disclosure

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

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

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

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

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

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

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

Signature: [Signature] Date Signed: 10/6/21

Notary Verification

State of Pennsylvania, County of Fayette:

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

Taken, sworn to and subscribed before me this 6th day of October, 2021

[Signature]
Notary Public's Signature

To be completed by State Agency:

Date Received by State Agency: _____

Date submitted to Ethics Commission: _____

Governmental agency submitting Disclosure: _____

Commonwealth of Pennsylvania - Notary Seal
Jeannette M. Balling, Notary Public
Fayette County
My Commission Expires February 03, 2025
Commission Number 1381958
Revised June 8, 2018

EXHIBIT A – PRICING PAGE
WV Division of Natural Resources
Watters Smith Memorial State Park
Pavilion Construction and Building Renovations

Name of Vendor:

Fairchance Construction Co, Inc.

Address of Vendor:

77 S. Morgantown Street
PO Box 535
Fairchance, PA 15436

Phone Number of Vendor:

(724) 564-7485

WV Contractors License No.

WV- 047489

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 pertaining to the Pavilion 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.

\$850,000.00

Total Base Bid: "A"

Lump sum for all labor, materials, and equipment necessary for a complete project.

Written in words.

Eight Hundred Fifty Thousand Dollars and 00/100

EXHIBIT A – PRICING PAGE
WV Division of Natural Resources
Watters Smith Memorial State Park
Pavilion Construction and Building Renovations

“B” Additive Alternate #1

The Additive Alternate #1 Bid shall consist of all the work described in the Bidding Documents pertaining to the Museum Addition including the Plans, Project Manual, and any addendums not identified as an additive alternate.

Total Bid, Additive Alternate #1: “B”
Lump sum for all labor, materials, and equipment necessary for a complete project.
Written in numbers.

\$280,000.00

Total Bid, Additive Alternate #1: “B”
Lump sum for all labor, materials, and equipment necessary for a complete project.
Written in words.

Two Hundred Eighty Thousand Dollars and 00/100

“C” Additive Alternate #2

The Additive Alternate #2 Bid shall consist of all the work described in the Bidding Documents pertaining to the Residence Addition including the Plans, Project Manual, and any addendums not identified as an additive alternate.

Total Bid, Additive Alternate #2: “C”
Lump sum for all labor, materials, and equipment necessary for a complete project.
Written in numbers.


\$253,000.00

Total Bid, Additive Alternate #2: “C”
Lump sum for all labor, materials, and equipment necessary for a complete project.
Written in words.

Two Hundred Fifty Three Thousand Dollars and 00/100

Total Base Bid and all Additive Alternates equals A +B+C = \$1,383,000.00

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)
77 S. Morgantown Street, Fairchance PA 15436

(Address)
724-564-7485/ 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.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law.

Fairchance Construction Co, Inc.

(Company)



(Authorized Signature) (Representative Name, Title)

Edward V. Balling, President

(Printed Name and Title of Authorized Representative)

10/6/21

(Date)

724-564-7485/ 724-564-7488

(Phone Number) (Fax Number)