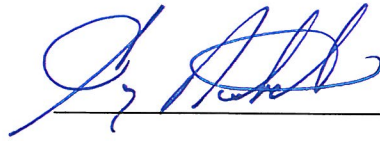


# NOTICE

Please note that this bid from Nitro Mechanical Services for CRFQ ADJ2200000029 was received prior to the established bid opening date and time on July 6th, 2022 as noted on the cover sheet, but was not read in the bid opening due to technical difficulties.



---

Guy Nisbet

Assistant Purchasing Director



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: 1054654

Procurement Type: Central Purchase Order

Vendor ID: 000000114774

Legal Name: Nitro Mechanical Services

Alias/DBA:

Total Bid: \$569,622.66

Response Date: 07/06/2022

Response Time: 11:44

Responded By User ID: RandyBarnett

First Name: Randy

Last Name: Barnett

Email: rbarnett@nitromechanica

Phone: 304-204-1525

SO Doc Code: CRFQ

SO Dept: 0603

SO Doc ID: ADJ2200000029

Published Date: 6/28/22

Close Date: 7/6/22

Close Time: 13:30

Status: Closed

Solicitation Description: (Construction) - Summersville Armory- HVAC Replacement

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:** 1054654  
**Solicitation Description:** (Construction) - Summersville Armory- HVAC Replacement  
**Proc Type:** Central Purchase Order

Solicitation Closes	Solicitation Response	Version
2022-07-06 13:30	SR 0603 ESR07062200000000071	1

**VENDOR**  
 000000114774  
 Nitro Mechanical Services

**Solicitation Number:** CRFQ 0603 ADJ2200000029  
**Total Bid:** 569622.6600000000325962901115 **Response Date:** 2022-07-06 **Response Time:** 11:44:17  
**Comments:**

**FOR INFORMATION CONTACT THE BUYER**  
 David H Pauline  
 304-558-0067  
 david.h.pauline@wv.gov

**Vendor Signature X** **FEIN#** **DATE**

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	Base Bid- Contract Item#1- Remove and replace VAV's				258431.77

Comm Code	Manufacturer	Specification	Model #
72000000			

**Commodity Line Comments:**

**Extended Description:**

BASE BID-Contract Item#1- Labor, materials and all associated costs to remove and dispose of 29 old VAV's and install new VAV's and controls per the attached specifications.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Base Bid- Contract Item#2- Remove and replace RTU				198722.95

Comm Code	Manufacturer	Specification	Model #
72000000			

**Commodity Line Comments:**

**Extended Description:**

Base Bid- Contract Item #2- .Labor, materials and all associated costs to remove and dispose of old HVAC RTU Roof Top unit and install new Aeon Model RN60 or equal per the attached specifications.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	ALTERNATE #1- Remove and replace two (2) ERV's				112467.94

Comm Code	Manufacturer	Specification	Model #
72000000			

**Commodity Line Comments:**

**Extended Description:**

ALTERNATE # 1- Labor, materials and all associated costs to remove and dispose of two (2) Greenheck ERV's (Energy Recovery Ventilators) units and install new per the attached specifications.



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

State of West Virginia  
 Centralized Request for Quote

<b>Proc Folder:</b> 1054654		<b>Reason for Modification:</b>	
<b>Doc Description:</b> (Construction) - Summersville Armory- HVAC Replacement		Addendum No. 2 To attached drawings.	
<b>Proc Type:</b> Central Purchase Order			
<b>Date Issued</b>	<b>Solicitation Closes</b>	<b>Solicitation No</b>	<b>Version</b>
2022-06-28	2022-07-06 13:30	CRFQ 0603 ADJ2200000029	3

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

**Vendor Customer Code:**

**Vendor Name :** Nitro Construction Services, Inc.

**Address :** 4300 First Avenue

**Street :**

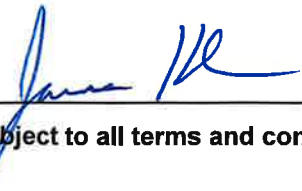
**City :** Nitro

**State :** WV **Country :** USA **Zip :** 25143

**Principal Contact :** Scott Bays

**Vendor Contact Phone:** 304-204-1500 **Extension:**

**FOR INFORMATION CONTACT THE BUYER**  
 David H Pauline  
 304-558-0067  
 david.h.pauline@wv.gov

**Vendor Signature X**  **FEIN#** 20-8844160 **DATE** 07/06/22

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

ADDITIONAL INFORMATION
Addendum No. 2
To drawings, see attached.
Bid opening remains July 6, 2022 at 1:30 pm est.
No other changes.

INVOICE TO	SHIP TO
ADJUTANT GENERALS OFFICE 1707 COONSKIN DR  CHARLESTON WV US	SUMMERSVILLE NATIONAL GUARD ARMORY 3 ARMORY WAY  SUMMERSVILLE WV US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Base Bid- Contract Item#1- Remove and replace VAV's				\$258,431.77

Comm Code	Manufacturer	Specification	Model #
72000000			

**Extended Description:**  
 BASE BID-Contract Item#1- Labor, materials and all associated costs to remove and dispose of 29 old VAV's and install new VAV's and controls per the attached specifications.

INVOICE TO	SHIP TO
ADJUTANT GENERALS OFFICE 1707 COONSKIN DR  CHARLESTON WV US	SUMMERSVILLE NATIONAL GUARD ARMORY 3 ARMORY WAY  SUMMERSVILLE WV US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Base Bid- Contract Item#2- Remove and replace RTU				\$198,722.95

Comm Code	Manufacturer	Specification	Model #
72000000			

**Extended Description:**  
 Base Bid- Contract Item #2- .Labor, materials and all associated costs to remove and dispose of old HVAC RTU Roof Top unit and install new Aaon Model RN60 or equal per the attached specifications.

INVOICE TO		SHIP TO	
ADJUTANT GENERALS OFFICE 1707 COONSKIN DR		SUMMERSVILLE NATIONAL GUARD ARMORY 3 ARMORY WAY	
CHARLESTON	WV	SUMMERSVILLE	WV
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	ALTERNATE #1- Remove and replace two (2) ERV's				5112,467.94

Comm Code	Manufacturer	Specification	Model #
72000000			

**Extended Description:**

ALTERNATE # 1- Labor, materials and all associated costs to remove and dispose of two (2) Greenheck ERV's (Energy Recovery Ventilators) units and install new per the attached specifications.

**SCHEDULE OF EVENTS**

<u>Line</u>	<u>Event</u>	<u>Event Date</u>
1	Mandatory Pre-Bid Meeting at 10:30 am est.	2022-06-22
2	Technical Questions Deadline at Noon est.	2022-06-27



	Document Phase	Document Description	Page
ADJ2200000029	Draft	(Construction) - Summersville Armory- HVAC Replacement	4

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

**SOLICITATION NUMBER: CRFQ ADJ2200000029**  
**Addendum Number: 2**

---

The purpose of this addendum is to modify the solicitation identified as CRFQ ADJ2200000029 to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- Modify bid opening date and time
- Modify specifications of product or service being sought
- To respond to technical questions
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

**Additional Documentation:**

- 1. To attach drawings, see attached.**
- 2. Bid opening date and time remains July 6, 2022, at 1:30 pm**
- 3. No other changes.**

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: CRFQ ADJ2200000029**

**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 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 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.

Nitro Construction Services, Inc.

Company



Authorized Signature

07/06/22

Date

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

# CRFQ ADJ22\*29

ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES NECESSARY TO REMOVE AND REPLACE  
HVAC EQUIPMENT AT THE SUMMERSVILLE ARMORY FACILITY  
3 ARMORY WAY, SUMMERSVILLE, WV

## BID FORM

The undersigned, hereafter called the Bidder, being familiar with and understanding the bidding documents; and being familiar with the site and all local conditions affecting the Project, hereby proposes to furnish labor, material, equipment, supplies, and transportation to perform the work as described in the bidding documents

BIDDERS COMPANY NAME: Nitro Construction Services, Inc.

VENDOR ADDRESS: 4300 First Avenue

Nitro, WV 25143

TELEPHONE: 304-204-1500

FAX NUMBER: 304-204-1350

E-MAIL ADDRESS: sbays@nitrocs.com

**CONTRACT COST: BASE BID-CONTRACT ITEM NO. 1-** Remove & replace twenty-nine (29) single duct variable air volume (VAV) terminals including controls

Two hundred fifty-eight thousand four hundred thirty-one and twenty-seven cents.

(\$ 258,431.77 ) \*\*\* (Contract bid to be written in words and numbers.)

**BASE BID-CONTRACT ITEM NO. 2-** Remove existing & replace one 55 Ton RTU (Roof Top Unit) with Aeon Model RN60 or equal:

One hundred ninety-eight thousand seven hundred twenty-two and ninety-five cents.

(\$ 198,722.95 ) \*\*\* (Contract bid to be written in words and numbers.)

**ALTERNATE NO. 1-CONTRACT ITEM NO. 3-** : Remove & Replace two (2) existing Greenheck ERV's (Energy Recovery Ventilators):

one hundred twelve thousand four hundred sixty-seven and ninety-four cents.

(\$ 112,467.94 ) \*\*\* (Contract bid to be written in words and numbers.)

**CONTRACT TOTAL COST: BASE BID Item #1 plus BASE BID Item #2 plus Alternate #1.**

five hundred sixty-nine thousand six hundred twenty-two and sixty-seven cents

(\$ 569,622.67 ) \*\*\* (Contract bid to be written in words and numbers.)

SIGNATURE:  DATE: 7/06/22

NAME: Jamie Kuhn  
(Please Print)

TITLE: Project Manager

**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) Scott Bays, Project Manager

(Printed Name and Title) Scott Bays, Project Manager

(Address) 4300 First Avenue Nitro, WV 25143

(Phone Number) / (Fax Number) 304-204-1500 / 304-204-1350

(email address) sbays@nitrocs.com

**CERTIFICATION AND SIGNATURE:** By signing below, or submitting documentation through wvOASIS, I certify that: I have reviewed this Solicitation/Contract 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/Contract 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; and that pursuant to W. Va. Code 5A-3-63, the entity entering into this contract is prohibited from engaging in a boycott against Israel.

Nitro Construction Services, Inc.

(Company) Jamie Kuhn, Project Manager

(Authorized Signature) (Representative Name, Title)  
Jamie Kuhn, Project Manager 07/6/22

(Printed Name and Title of Authorized Representative) (Date)  
304-204-1500 / 304-204-1350

(Phone Number) (Fax Number)  
Sbays@nitrocs.com

(Email Address)

**REQUEST FOR QUOTATION – CRFQ ADJ22\*29**  
**Summersville Armory HVAC Replacement- Summersville, WV**

---

**Contract Manager:**           Scott Bays          

**Telephone Number:**           304-204-1500          

**Fax Number:**           304-204-1350          

**Email Address:**           sbays@nitrocs.com          

- a. Liquidated Damages:** Contractor shall pay liquidated damages in the amount of \$1,500.00 per day of delay, plus a one-time fixed cost of \$1,250.00 for Staff Judge Advocate review for work not completed after contract completion date. This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue any other available remedy.



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

I, Carey Marra-Huffman, after being first duly sworn, depose and state as follows:

1. I am an employee of Nitro Construction Services, Inc.; and,  
(Company Name)
2. I do hereby attest that Nitro Construction Services, 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: Carey Marra-Huffman

Signature: Carey Marra-Huffman

Title: Corporate Safety Director

Company Name: Nitro Construction Services, Inc.

Date: 07/06/22

STATE OF WEST VIRGINIA,

COUNTY OF Putnam, TO-WIT:

Taken, subscribed and sworn to before me this 6 day of July, 2022.

By Commission expires August 5, 2023

(Seal)



Fatina Withrow  
(Notary Public)







# CONTRACTOR LICENSE

AUTHORIZED BY THE  
West Virginia Contractor  
Licensing Board

NUMBER: WV042601

## CLASSIFICATION:

ELECTRICAL  
GENERAL BUILDING  
HEATING, VENTILATING & COOLING  
PIPING  
LOW VOLTAGE SYSTEMS  
SPRINKLER AND FIRE PROTECTION

NITRO CONSTRUCTION SERVICES INC  
DBA NITRO MECHANICAL SERVICES  
4300 1ST AVE #2  
NITRO, WV 25143-1001

## DATE ISSUED

JUNE 13, 2022

## EXPIRATION DATE

JUNE 13, 2023

Authorized Signature

Chair, West Virginia Contractor  
Licensing Board



**WEST VIRGINIA  
CONTRACTOR  
LICENSING BOARD**

A copy of this license must be readily available for inspection by the Board on every job site where contracting 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 is non-transferable. This license is being issued under the provisions of West Virginia Code, Chapter 30, Article 42.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/28/2021

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

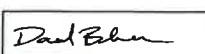
<b>PRODUCER</b> Willis Towers Watson Northeast, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 372305191 USA	<b>CONTACT NAME:</b> Willis Towers Watson Certificate Center <b>PHONE (A/C No. Ext):</b> 1-877-945-7378 <b>FAX (A/C No.):</b> 1-888-467-2378 <b>E-MAIL ADDRESS:</b> certificates@willis.com	
	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Arch Insurance Company <b>INSURER B:</b> XL Specialty Insurance Company <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	<b>NAIC #</b> 11150 37885

**COVERAGES**      **CERTIFICATE NUMBER:** W23434071      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		ZAGLB9222205	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 2,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		ZACAT9243305	01/01/2022	01/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		US00077260LI22A	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N No	ZAWCI9402605	01/01/2022	01/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

<b>CERTIFICATE HOLDER</b>    <b>Evidence of Insurance</b>	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b>  

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Nitro Construction Services, Inc.  
of Nitro, WV, 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 Bala Cynwyd, 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  
HVAC Replacement, Summersville Armory

**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 July, 2022.

Principal Seal

Nitro Construction Services, Inc.  
(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]  
Tammy S. Selbe, Licensed WV Resident Agent **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**

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 Douglas P. Taylor, Andrew K. Teeter, Kimberly L. Miles, Tammy S. Selbe and Jessica J. Bentley of USI Insurance Services, LLC 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 \$50,000,000.00.

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 14<sup>th</sup> 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.

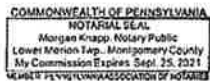
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27<sup>TH</sup> DAY OF OCTOBER, 2017.



(Seal)

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

On this 27<sup>th</sup> 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 the Power of Attorney issued pursuant thereto on the 27<sup>th</sup> 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 July, 20 22.



Edward Sayago, Corporate Secretary  
**PHILADELPHIA INDEMNITY INSURANCE COMPANY**