

From:

09/12/2023 11:29

#324 P.001/009

VENDOR NAME: First Fruits Excavating, Inc.

BUYER: Josh Hager

SOLICITATION NO.: CRFQ 0310 DNR2400000002

BID OPENING DATE: 09/12/2023

FAX NUMBER: 304-558-3970

09/12/23 11:37:16
WV PURCHASING DIVISION

From:

09/12/2023 11:30 #324 P.002/009

	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 Construction
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Proc Folder: 1264800 Doc Description: Ridge Hatchery New Collection Line Construction		Reason for Modification: Addendum #1 issued to publish agency responses to all vendor submitted questions, pre-bid sign in, and clarifications.
Proc Type: Central Purchase Order		
Date Issued 2023-09-05	Solicitation Closes 2023-09-12 13:30	Solicitation No CRFQ 0310 DNR2400000002
Version 2		

BID RECEIVING LOCATION

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

VENDOR

Vendor Customer Code:

Vendor Name: First Fruits Excavating, Inc.


Address: 407 Plum Run Road
Street:
City: Ridgeley
State: WV **Country:** USA **Zip:** 26753

Principal Contact: Phillip N. Dayton, II

Vendor Contact Phone: 304-726-8412 **Extension:**

FOR INFORMATION CONTACT THE BUYER

Joseph E Hager III
 (304) 558-2306
 joseph.e.hageriii@wv.gov

Vendor Signature X  **FEIN#** 22=3947768 **DATE** 09/12/2023

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

From:

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ADDITIONAL INFORMATION
 The West Virginia Purchasing Division is soliciting bids on behalf of West Virginia Division of Natural Resources to establish a contract for the construction of a sewer interceptor line at Ridge State Fish Hatchery per the attached specifications and terms and conditions.

INVOICE TO		SHIP TO	
DIVISION OF NATURAL RESOURCES		STATE OF WEST VIRGINIA	
PARKS & RECREATION-PEM SECTION		JOBSITE - SEE SPECIFICATIONS	
324 4TH AVE			
SOUTH CHARLESTON	WV	No City	WV
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Construction of New Sewage Collection Line	1	LS	\$345,186.00	\$345,186.00

Comm Code	Manufacturer	Specification	Model #
72000000			

Extended Description:
 Construction of New Sewage Collection Line

SCHEDULE OF EVENTS

Line	Event	Event Date
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From:

09/12/2023 11:31

#324 P.005/009

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.

(Printed Name and Title) Phillip N. Dayton, II - President

(Address) 407 Plum Run Rd. Ridgeley, WV 26753

(Phone Number) / (Fax Number) 304-72608412 / 304-738-1602

(Email address) buck@firstfruits-wv.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 this bid or offer was made without prior understanding, agreement, or connection with any entity submitting a bid or offer for the same material, supplies, equipment or services; that this bid or offer is in all respects fair and without collusion or fraud; that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; 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.

First Fruits Excavating, Inc.

(Company)

(Signature of Authorized Representative)

Phillip N. Dayton, II - President 09/12/2023

(Printed Name and Title of Authorized Representative) (Date)

304-726-8412 / 304-738-1602

(Phone Number) (Fax Number)

buck@firstfruits-wv.com

(Email Address)

From:

09/12/2023 11:32

#324 P.006/009

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFQ DNR24*02

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:

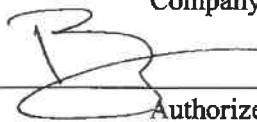
(Check the box next to each addendum received)

- | | |
|--|--|
| <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.

First Fruits Excavating, Inc.

Company



Authorized Signature

09/12/2023

Date

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

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#324 P.007/009

EXHIBIT A – PRICING PAGE

***Ridge State Fish hatchery
Discharge Interceptor Project***

Name of Vendor:	First Fruits Excavating, Inc.
Address of Vendor: R	407 Plum Run Rd. Ridgeley, WV 26753
Phone Number of Vendor:	304-726-8412
WV Contractor's License No.:	WV-047004

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.

The Base Bid shall consist of all the work described in the Project Manual, pre-bid, and any addenda not identified as an additive alternate.

Total Bid:

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

Written in numbers.

\$345,186.00

Total Bid:

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

Written in words.

Three hundred forty-five thousand, one hundred eighty-six dollars and zero cents
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From:

09/12/2023 11:32

#324 P.008/009

Agency Division of Natural Resources
REQ.P.# CRFG DNR 240000002

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, First Fruits Excavating, Inc.
of Ridgeley, West Virginia, as Principal, and Hartford Fire Insurance Co.
of Hartford, Conneticut, a corporation organized and existing under the laws of the State of CT.
with its principal office in the City of Hartford, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of 5% of bid (\$ 5% of bid) 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
Ridge Hatchery New Collection Line Construction

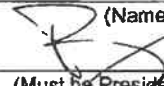
NOW THEREFORE,

- (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.

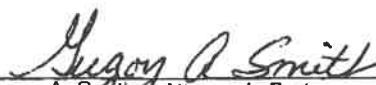
The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby waive notice of any such extension.

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 12th day of September, 2023.

Principal Seal

First Fruits Excavating, Inc.
(Name of Principal)
By 
(Must be President, Vice President, or
Duly Authorized Agent)
President
(Title)

Surety Seal

Hartford Fire Insurance Company
(Name of Surety)

Gregory A. Smith, 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.

From:

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DocuSign Envelope ID: DDEC8CE7-F766-43DE-ABBA-6083D02DB027

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD
BOND, 7-11
One Hartford Plaza
Hartford, Connecticut 06156
Bond.Claims@thehartford.com
call: 888-288-3488 or fax: 888-757-8638

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: **CBIZ INSURANCE SERVICES INC**
Agency Code: **30-778164**

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Chelsea Martin, Marla Mayles, Kayla McCullough, Jeffrey A. Paul, Mary Kay Sagal, Edward R. Seward, Aaron Smith, Gregory A. Smith of CUMBERLAND, Maryland

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as sureties only as delineated above, by (s), and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments, in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 28, 2020 the Companies have caused these presents to be signed by its Assistant Vice President and the corporate seal to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby irrevocably agree that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPorte

Joelle L. LaPorte, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 13th day of February, 2020, before me personally came Joelle LaPorte, to me known, who being by me duly sworn, did depose and say that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations; and that (s)he signed his/her name thereto by the authority.



Joelle LaPorte

Joelle LaPorte, Notary
My Commission #FF629702
Expires June 20, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of September 12th, 2023.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois, Assistant Vice President