



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> 1378752		<b>Reason for Modification:</b> Addendum No. 1	
<b>Doc Description:</b> Construction: Crossties and Surfacing on WCR			
<b>Proc Type:</b> Central Purchase Order			
<b>Date Issued</b>	<b>Solicitation Closes</b>	<b>Solicitation No</b>	<b>Version</b>
2024-03-21	2024-03-27 13:30	CRFQ 0810 DMT2400000005	2

**BID RECEIVING LOCATION**

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

RECEIVED

2024 MAR 27 AM 9:38

WV PURCHASING  
 DIVISION

**VENDOR**

**Vendor Customer Code:** 00000017785

**Vendor Name :** Amtrac Railroad Contractors of MD, Inc.

**Address :** 9436

**Street :** Earley Drive

**City :** Hagerstown

**State :** Maryland **Country :** USA **Zip :** 21749

**Principal Contact :** Robert L. Matthews

**Vendor Contact Phone:** 301-797-3730 **Extension:**

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

**Vendor Signature X**  **FEIN#** 35-1649116 **DATE** March 26, 2024

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

**ADDITIONAL INFORMATION**

Addendum No. 1

To publish the mandatory Pre-bid meeting sign-in sheets, see attached.

To provide responses to the Vendor Technical Questions, see attached.

To provide satellite maps for vendor to reference in lieu of track charts, see attached.

To correct an error, in the original solicitation documents the boxes for bonds were inadvertently left unchecked, see attached corrected page. Bid Bond Instructions, and the Bid Bond form was included in the original packet.

Bid opening remains March 27, 2024, at 1:30 pm., est.

No other changes.

**INVOICE TO****SHIP TO**STATE RAIL AUTHORITY  
120 WATER PLANT DRMOOREFIELD  
US

WV

STATE RAIL AUTHORITY  
(DBA) SOUTH BRANCH  
VALLEY RAILROAD  
120 WATER PLANT DR  
MOOREFIELD  
US

WV

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Replace 5,000 Crossties and Surfacing on the WVCR	0.00000	EA	\$158.50	\$792,500.00

**Comm Code****Manufacturer****Specification****Model #**

72141603

**Extended Description:**

See Attached Exhibit "A" Pricing Page

Replacement of 5,000 Crossties and Surfacing on the WVCR between MP 21.0 and MP 31

**SCHEDULE OF EVENTS**

<u>Line</u>	<u>Event</u>	<u>Event Date</u>
1	Mandatory Pre-bid Meeting at 10:30 am., est.	2024-03-13
2	Vendor Technical Questions Due By 11:00 am.,est.	2024-03-20

# SOLICITATION NUMBER: CRFQ DMT2400000005

## Addendum Number: 1

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The purpose of this addendum is to modify the solicitation identified as CRFQ DMT2400000005 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 publish the mandatory pre-bid meeting sign-in sheets, see attached.
2. To provide responses to the Vendor Technical Questions, see attached.
3. To provide satellite maps for vendor to reference in lieu of track charts, see attached.
4. Adding page to the Terms & Conditions, as in the original solicitation documents the bonds portion was not checked to show that they are needed, see attached corrected page. In the original the bid bond form and instructions was attached.
5. Bid opening remains March 27, 2024, at 1:30 pm., est.

**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.

0810-CRFA

# Pre-Bid Sign-In Sheet

Solicitation Number: DMT 24\*05Date of Pre-Bid Meeting: 3/13/24Location of Prebid Meeting: Elkins Depot

**Please Note:**

Vendors must sign-in on this sheet to verify attendance at the Pre-Bid meeting.

Failure to legibly sign in may be grounds for declaring a vendor ineligible to bid.

For further verification, please also provide a business card if possible.

<u>Firm Represented:*</u>	<u>Rep Name (Printed):</u>	<u>Firm Address:</u>	<u>Telephone #:</u>	<u>Fax #:</u>	<u>Email:</u>
Rhinohart Railroad	Johnny Wharton	1600 ANSLIDE RD FALSTON, Maryland 21047	D 410-879-1322 C 304-694-5193	410-879-1344	Johnny.W@rhinohartrailroad.com
Amtrak RR Contractors of MD	Cleazar Garcia	9436 Earley Drive Hagers Town, MD	240-698-8833		egarcia_hernandez@amtrak.md.com Rmatthews@amtrak.md.com
Frontier Railroad Services	Robert Simpson	100 Brady Place New Stanton Pa.	724-953-6800	724-915-9847	rsimpson@frontierrailroad.com
FRS	Brandon Wallace		724-691-1005		bwallace@frontierrailroad.com
Division of Multimodal Transportation	Lucinda "Cindy" Butler	120 Water Plant Drive Moorefield WV 26836	304-813-7775	304-538-7474	cindy.k.butler@wv.gov
Division of Multimodal - Rail	James Cooper	120 Water Plant Drive Moorefield, WV 26836	304-606-2227	304-538-7474	James.T.Cooper@wv.gov

**\*One Vendor Per Representative** - No one individual is permitted to represent more than one vendor at the pre-bid meeting. Any individual that does attempt to represent two or more vendors will be required to select one vendor to which the individual's attendance will be attributed. The vendors not selected will be deemed to have not attended the pre-bid meeting unless another individual attended on their behalf.

CRFQ DMT24\*05

WVCR Crosstie Replacement in Elkins, WV

Question # 1. Please confirm that there is no track surfacing on this project.

Answer # 1. No tamping

Question # 2. Please confirm that there is no gauging on this project.

Answer # 2. No additional gaging

Question # 3. Will material sales tax be required on material?

Answer # 3. The vendor will pay sales tax unless for some reason they are tax exempt. The state does not pay sales tax so tax can not be added onto the final bid as a line item.

Question # 4. Are prevailing wages required?

Answer # 4. No

Question # 5. Under article 9. DAVIS-BACON AND RELATED ACT WAGE RATES neither box is checked. Is this project subject to prevailing wages?

Answer # 5. No

Question # 6. The single bid item reads "Replace Crossties and Surfacing on WVCR". There is no specification or mention of any required surfacing or any stone that would be required. Your usual RFQ would have a specification for both the surfacing and the stone with would include the minimum requirements of the Auto Line and Surface Tamper along with the specification for the stone and who would be supplying. Are we to Surface the 10 Miles of track or provide any stone? If so, can you add a bid item and specifications?

Answer # 6. There will be no surfacing, so no stone is needed.

Question # 7. Can you provide a track chart so we can pinpoint the work locations and available accesses?

Answer # 7. We cannot provide track charts but are attaching satellite map of the WVCR line.

Question # 8. What siding and locations along the way are we permitted to tie up and store equipment?

Answer # 8. You will be able to use the siding at MP 28.5 which is the Number 2 track at the Elkins Depot and the siding at MP 22 at Norton.

Question # 9. Are track charts available for us to view? If not, can you estimate the percentage of ties being replaced in tangent track and curved track?

Answer # 9. We do not have track charts, are attaching satellite map of the WVCR line. 35% of ties replaced will be in curved track & 60% in tangent track.

Question # 10. What kind of train traffic will we have to deal with?

Answer # 10. Beginning May 4, 2024, the Tygart Flyer runs out of Elkins Depot on weekends and the 24<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> of May. Starting in June 2024, it will run Thursday through Sunday all summer and through October. When the Tygart Flyer is running, you will have to clear up once between MP 22 and MP 27.5. When running between MP 27.5 and MP 32, you will need to clear up twice for the train. Basically, you will need to coordinate with the operator. They will have someone with you.

Question # 11. Where can we stage our equipment and ties?

Answer # 11. See answer # 8 for equipment tie up and storage. Ties may be stored at the J.F. Allen Quarry siding location.

Question # 12. If the new tie cannot be gauged to the correct gauge will the contractor be required to pull the spikes from the opposing ties to make the corrections?

Answer # 12. No

Question # 13. Will the contractor be able to use JF Allens track to unload equipment and store material?

Answer # 13. Yes, you will be able to use the siding at the J.F. Allen Quarry.

Question # 14. Is the contractor responsible for purchasing ballast required for surfacing?

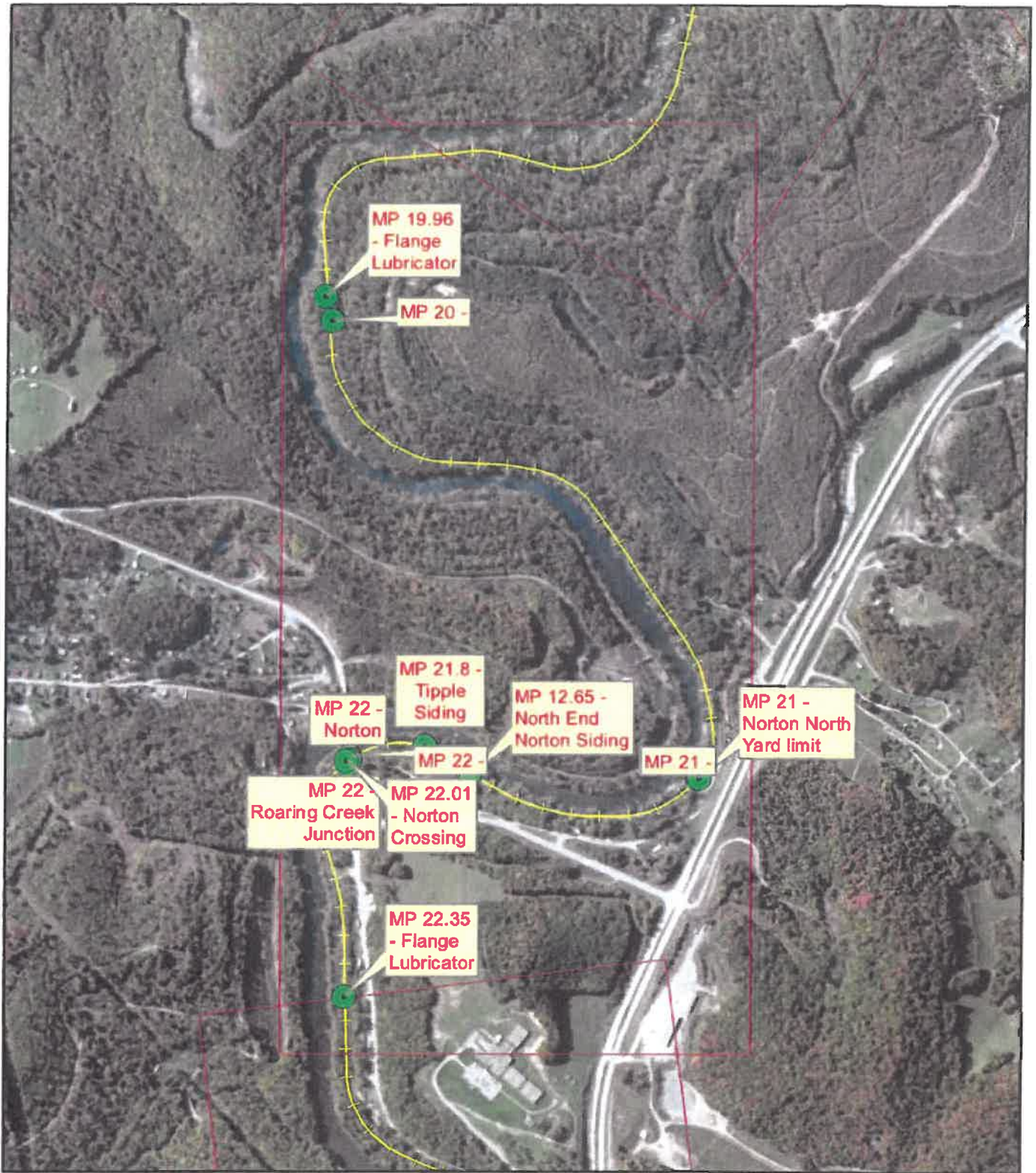
Answer # 14. No

Question # 15. Please provide a specification for the crossties.

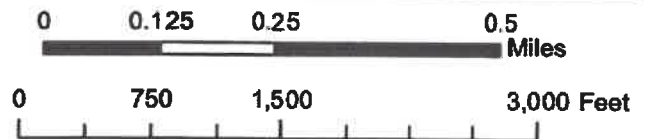
Answer # 15. This is directly from Exhibit B of the bid packet:

Vendor will provide new ties, tie plugs and spikes and will transport them to the work site. Ties will be new 7" x 9" x 8'6" Grade 5 ties (an 80/20 mix is acceptable – 80% 7" x 9" and 20% 7" x 8"). The specifications set forth in Chapter 3 of the AREMA specifications will govern. The ties will be 100% end-plated, mixed hardwoods and oak, creosote pressure treated to 7# retention.





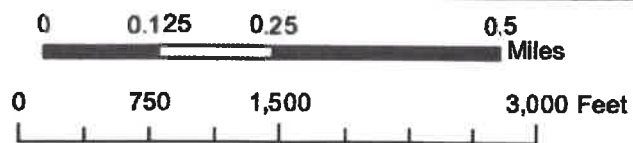
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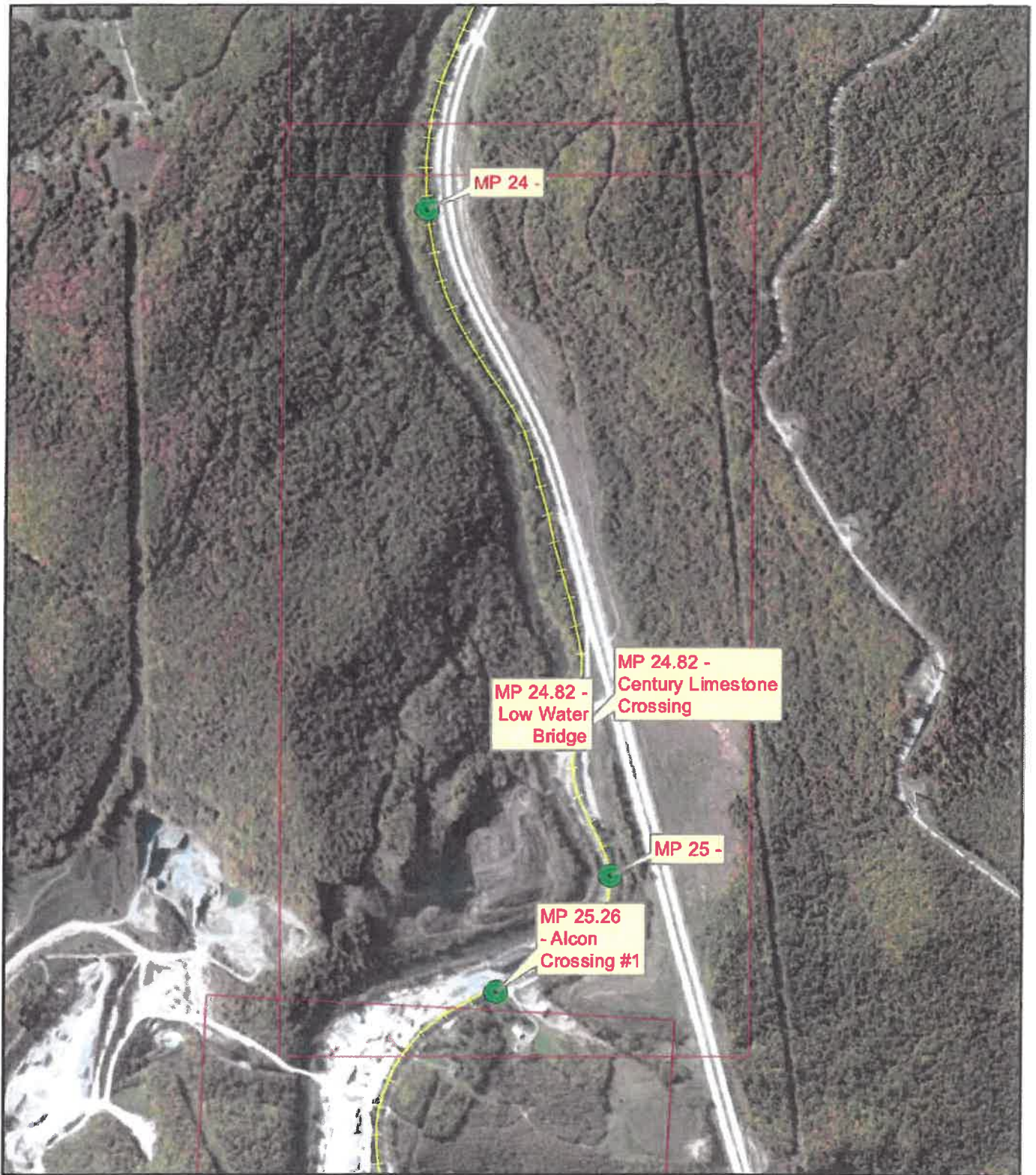




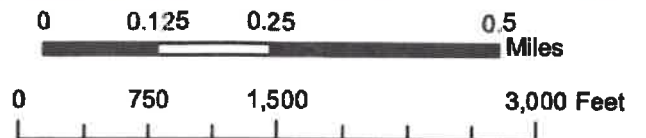
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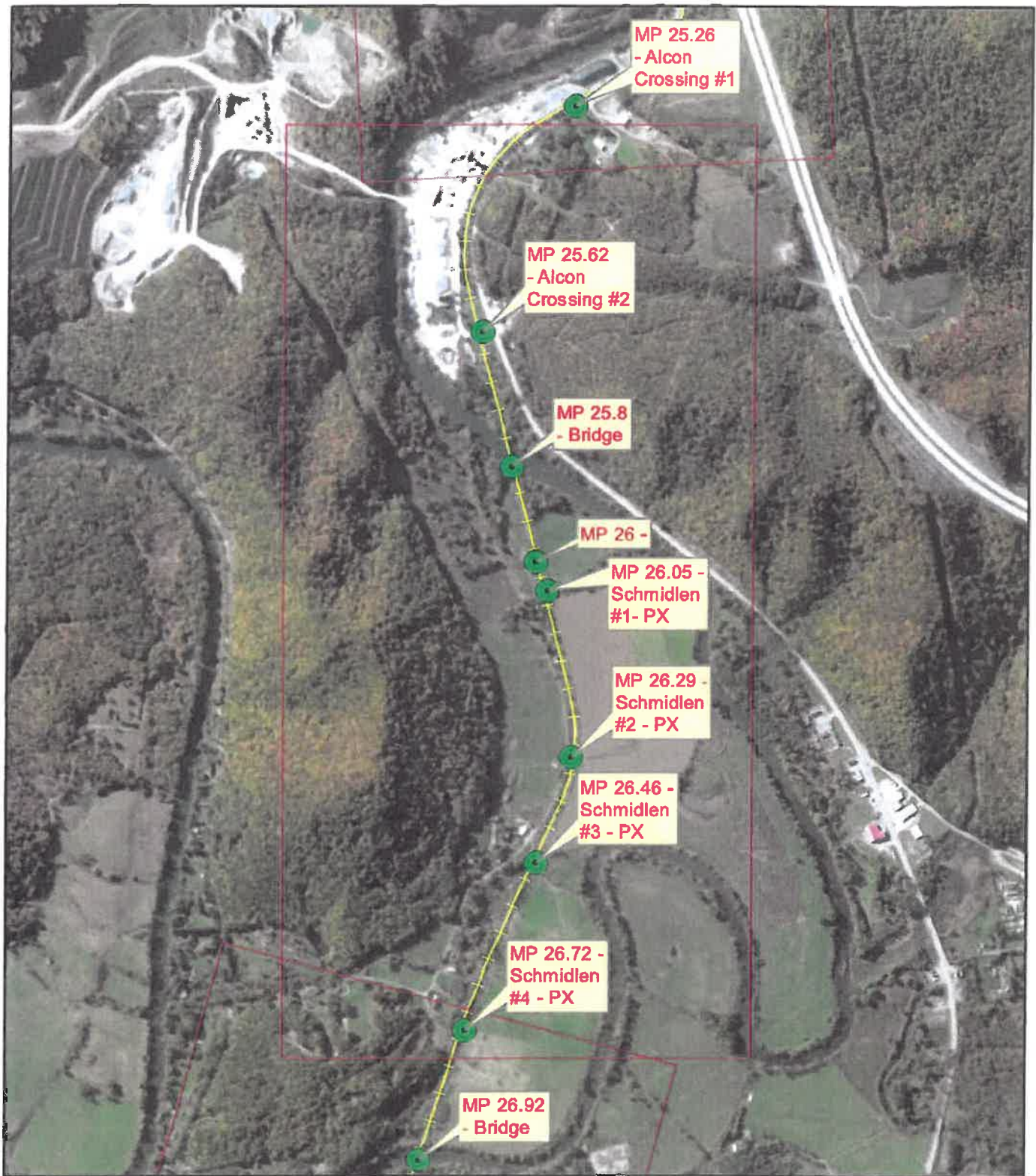




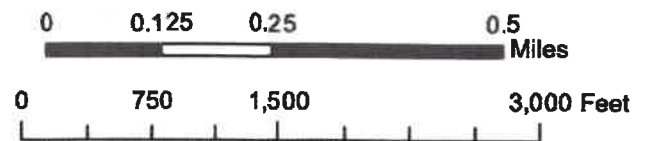
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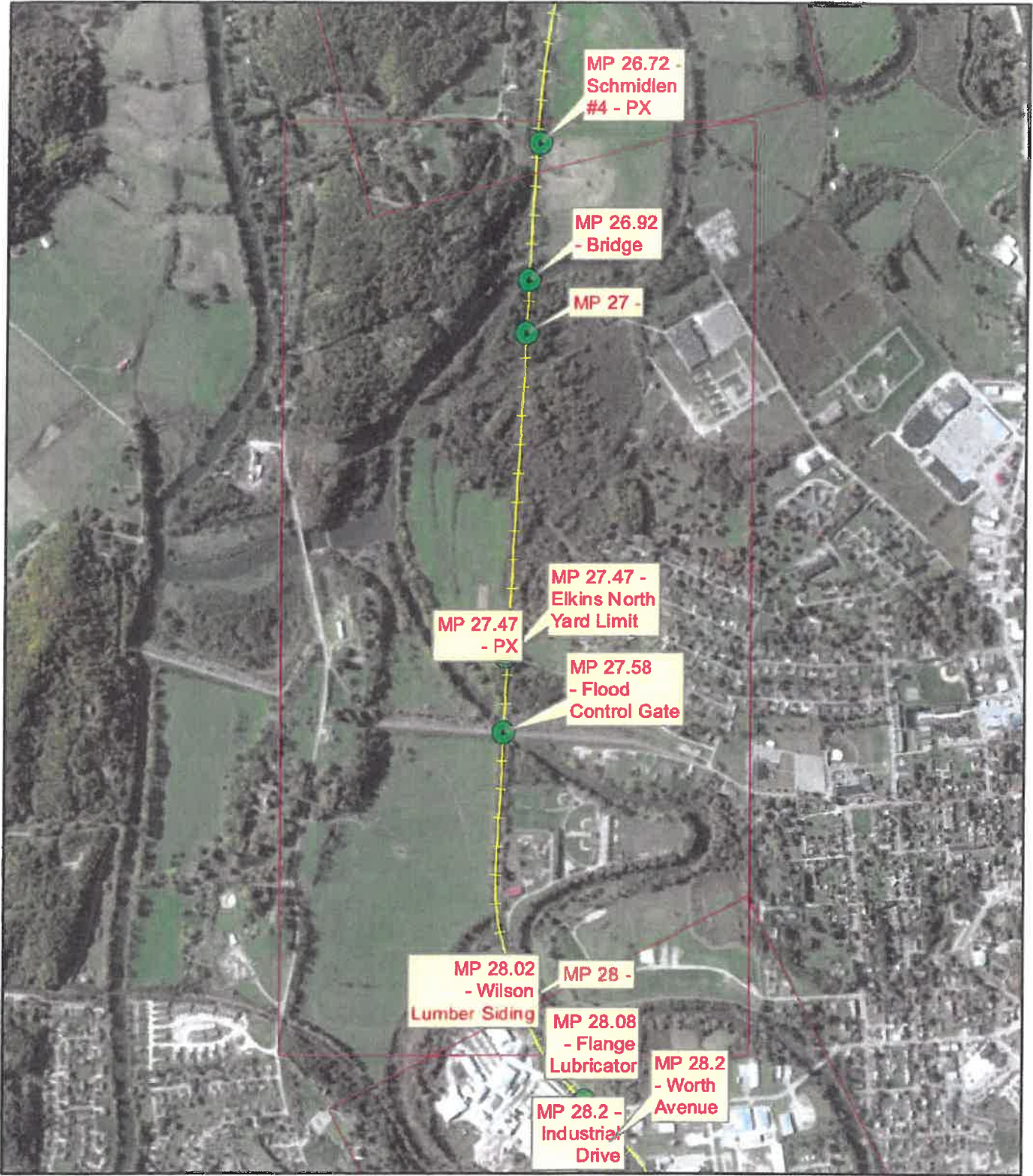




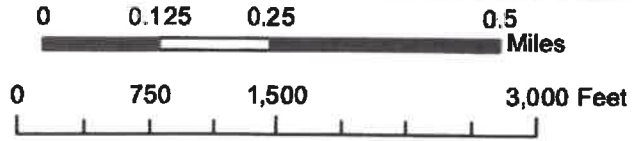
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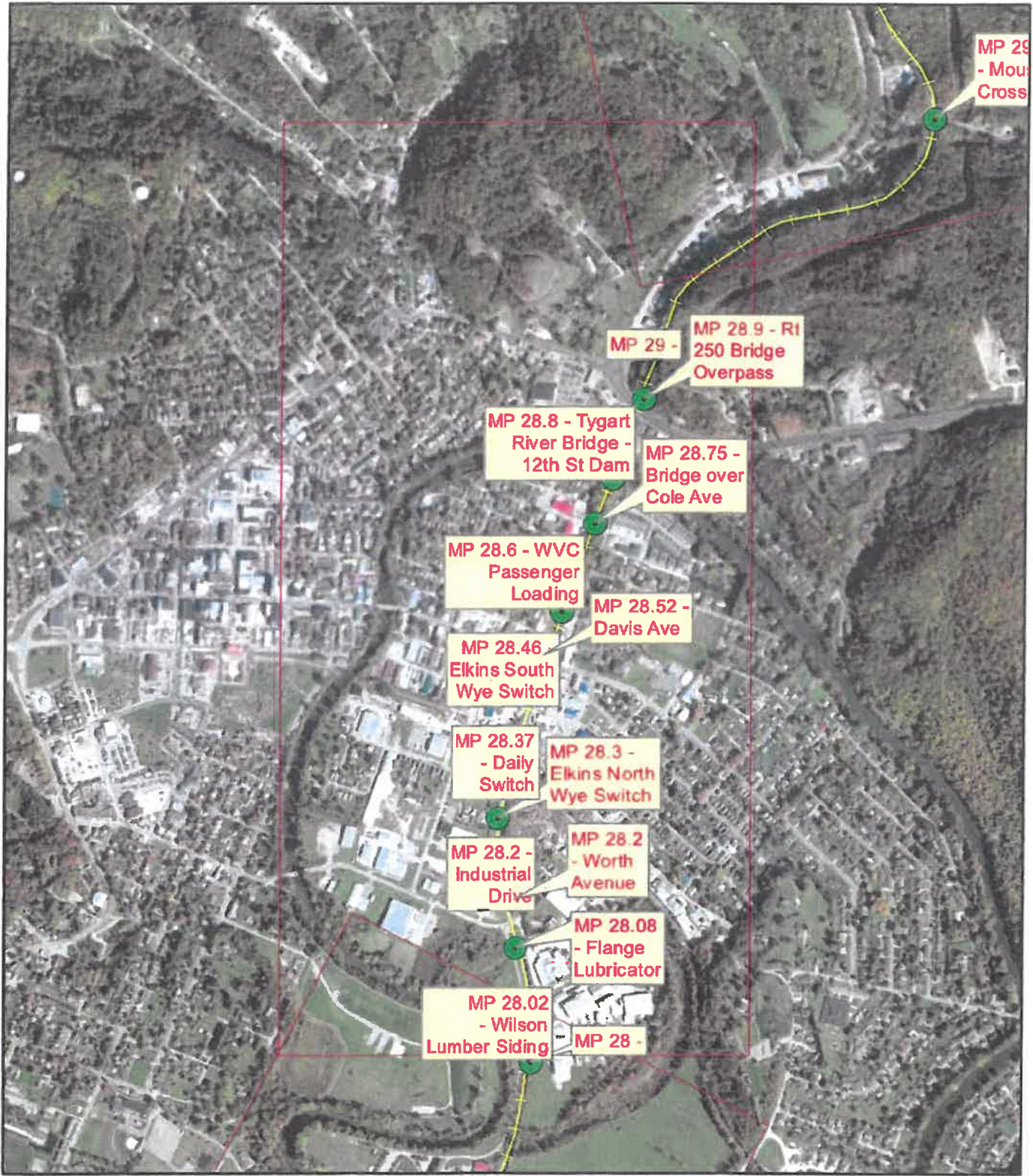




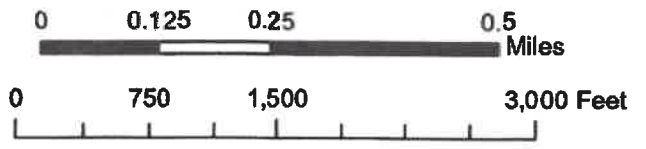
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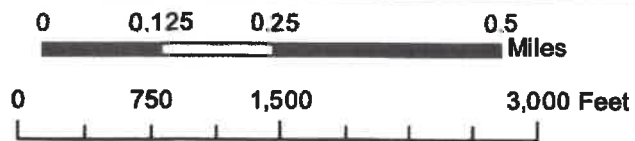
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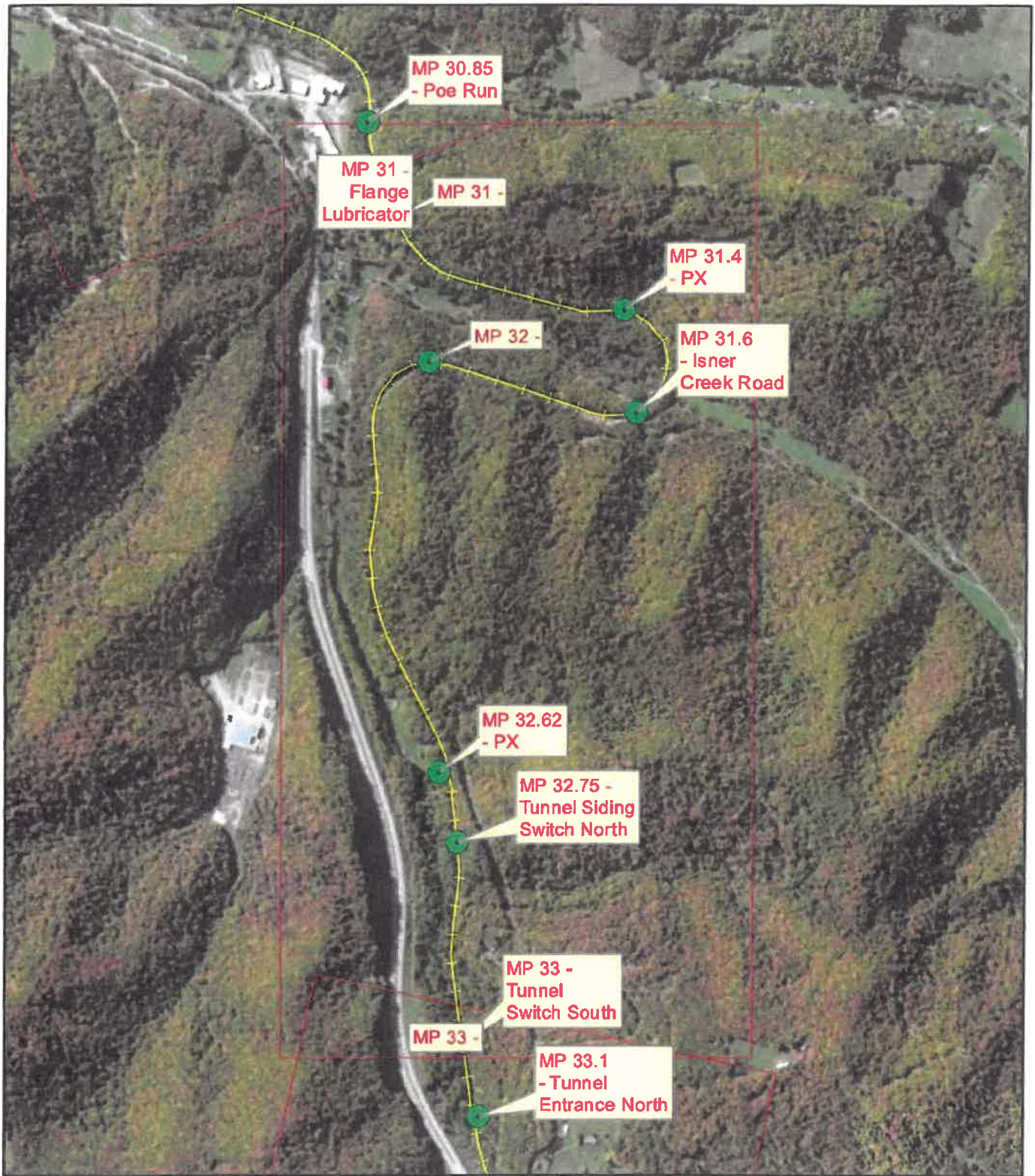




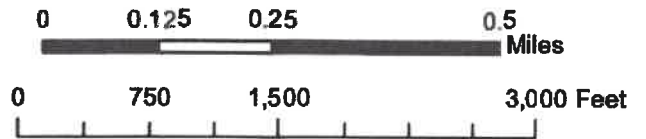
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## **ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)**

**1. CONTRACTOR'S LICENSE:** Until June 15, 2021, West Virginia Code § 21-11-2, and after that date, § 30-42-2, 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 Contractor Licensing Board.

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a contract award document.

**2. BONDS:** The following bonds must be submitted:

- BID BOND:** Pursuant to the requirements contained in W. Va. Code § 5-22-1(c), All Vendors submitting a bid on a construction project shall furnish a valid bid bond in the amount of five percent (5%) of the total amount of the bid protecting the State of West Virginia. **THE BID BOND MUST BE SUBMITTED WITH THE BID OR VENDOR'S BID WILL BE DISQUALIFIED.**
- PERFORMANCE BOND:** The apparent successful Vendor shall provide a performance bond in the amount of 100% of the contract. The performance bond must be received by the Purchasing Division prior to Contract award. (Attorney General requires use of the State approved bond forms found at: [www.state.wv.us/admin/purchase/forms2.html](http://www.state.wv.us/admin/purchase/forms2.html))
- LABOR/MATERIAL PAYMENT BOND:** The apparent successful Vendor shall provide a labor/material payment bond in the amount of 100% of the Contract value. The labor/material payment bond must be delivered to the Purchasing Division prior to Contract award. (Attorney General requires use of the State approved bond forms found at: [www.state.wv.us/admin/purchase/forms2.html](http://www.state.wv.us/admin/purchase/forms2.html))
- MAINTENANCE BOND:** The apparent successful Vendor shall provide a two (2) year maintenance bond covering the roofing system if the work impacts an existing roof. The amount of the bond must be equal to the price associated with the percentage of the project impacting the roof. The maintenance bond must be issued and delivered to the Purchasing Division prior to Contract award. (Attorney General requires use of the State approved bond forms found at: [www.state.wv.us/admin/purchase/forms2.html](http://www.state.wv.us/admin/purchase/forms2.html))

At a minimum, all construction projects require a bid bond, performance bond, and labor/material payment bond. Failure on the part of the state of West Virginia to checkmark the required bonds above does not relieve the vendor from the legal requirement of providing these bonds.

In lieu of the Bid Bond, the Vendor may provide certified checks, cashier's checks, or irrevocable letters of credit. Any certified check, cashier's check, or irrevocable letter of credit provided in lieu of the bid bond must be of the same amount required of the Bid Bond and delivered with the bid.

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: CRFO DMT240000005**

**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 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.

Amtrac Railroad Contractors of MD, Inc.

Company



Authorized Signature

March 26, 2024

Date

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

**Exhibit "A"**  
**Price Sheet**

<b>Replace Crossties and Surface on the WVCR</b>					
<b>Line</b>	<b>Description</b>	<b>Unit of</b>	<b>Unit</b>	<b>Quantity</b>	<b>Extended</b>
<b>Item</b>	<b>Replace Crossties and Surfacing on WVCR</b>	<b>Measure</b>	<b>Cost</b>	<b>Needed</b>	<b>Cost</b>
1.1.1	Replace 5,000 crossties between MP 21.0 and MP 31 (Installed tie will be gaged)	Each	\$ 158.50	5,000	\$792,500.00
				<b>Total Bid</b>	<b>Amount: \$792,500.00</b>



9436 Earley Dr  
Hagerstown, MD 21740-1737

Phone: (301) 797-3730

Fax: (301) 797-3740



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

I, Robert L. Matthews, after being first duly sworn, depose and state as follows:

1. I am an employee of Amtrac Railroad Contractors of MD, Inc.; and,  
(Company Name)
2. I do hereby attest that Amtrac Railroad Contractors of MD, 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: Robert L. Matthews

Signature: 

Title: Vice President/General Manager

Company Name: Amtrac Railroad Contractors of MD, Inc.

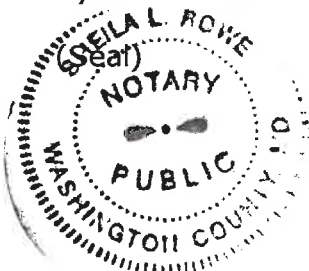
Date: March 26, 2024


STATE OF WEST ~~VIRGINIA~~, Maryland

COUNTY OF Washington, TO-WIT:

Taken, subscribed and sworn to before me this 26th day of March, 2024.

By Commission expires March 14, 2028



  
(Notary Public)

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Amtrac Railroad Contractors of Maryland, Inc  
of 9436 Earley Drive Hagerstown, MD 21740, as Principal, and Ohio Farmers Insurance  
Company of 1 Park Cir/PO Box 5001 Westfield Ctr, OH, a corporation organized and existing under the laws of the State of OHIO  
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State of West Virginia, as Oblige, in the penal sum of Five Percent of Total 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 Solicitation No.: CRFQ RMA 0810-DMT240000005

**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 Oblige 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 27th day of MARCH, 2024.

Principal Seal

Amtrac Railroad Contractors of Maryland, Inc.  
(Name of Principal)

By Jacqueline L. Manzini, Pres.  
(Must be President, Vice President, or  
Duly Authorized Agent)

Jacqueline L. Manzini, President

(Title)

Surety Seal

Ohio Farmers Insurance Company  
(Name of Surety)

S. Annette Mullet  
Attorney-in-Fact  
S. Annette Mullet, 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.**

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint S. ANNETTE MULLET

of WESTFIELD and State of IN its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 02nd day of JANUARY A.D., 2020 .

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Handwritten signature of Gary W. Stumper

By: Gary W. Stumper, National Surety Leader and Senior Executive

State of Ohio County of Medina ss.:

On this 02nd day of JANUARY A.D., 2020 , before me personally came Gary W. Stumper to me known, who, being by me duly sworn, did depose and say, that he resides in Hartford, CT; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



Handwritten signature of David A. Kotnik

David A. Kotnik, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 27th day of MARCH A.D., 2024 .



Handwritten signature of Frank A. Carrino

Frank A. Carrino, Secretary