



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 @ 3

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**General Information** | [Contact](#) | [Default Values](#) | [Discount](#) | [Document Information](#) | [Clarification Request](#)

Procurement Folder: 1508793

Procurement Type: Central Purchase Order

Vendor ID: VS0000019929

Legal Name: FIRST FRUITS EXCAVATING INC

Alias/DBA:

Total Bid: \$3,924,611.08

Response Date: 11/07/2024

Response Time: 12:20

Responded By User ID: FirstFruits

First Name: Phillip

Last Name: Dayton

Email: buck@firstfruits-wv.com

Phone: 304-726-8412

SO Doc Code: CRFQ

SO Dept: 0403

SO Doc ID: DBS2500000006

Published Date: 10/18/24

Close Date: 11/7/24

Close Time: 13:30

Status: Closed

Solicitation Description: WV/SDB Campus Site Upgrades and related construction

Total of Header Attachments: 3

Total of All Attachments: 3



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:** 1508793  
**Solicitation Description:** WVSDB Campus Site Upgrades and related construction  
**Proc Type:** Central Purchase Order

| Solicitation Closes | Solicitation Response        | Version |
|---------------------|------------------------------|---------|
| 2024-11-07 13:30    | SR 0403 ESR11072400000003402 | 1       |

**VENDOR**  
VS0000019929  
FIRST FRUITS EXCAVATING INC

**Solicitation Number:** CRFQ 0403 DBS2500000006  
**Total Bid:** 3924611.080000000074505805969 **Response Date:** 2024-11-07 **Response Time:** 12:20:35  
**Comments:**

**FOR INFORMATION CONTACT THE BUYER**  
Joseph E Hager III  
(304) 558-2306  
joseph.e.hageriii@wv.gov

|                       |       |      |
|-----------------------|-------|------|
| Vendor<br>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    | WVSDB Blue and Gold Renovation and related construction |     |            |            | 3924611.08                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 72121103  |              |               |         |

**Commodity Line Comments:**

**Extended Description:**

WVSDB Campus Site Upgrades and related construction



**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, First Fruits Excavating, Inc.  
of 407 Plum Run Road, Ridgeley, WV 26753, as Principal, and Hartford Fire Insurance  
Company of One Hartford Plaza, Hartford, CT 06155, a corporation organized and existing under the laws of the State of Connecticut with its principal office in the City of Hartford, as Surety, are held and firmly bound unto the State of West Virginia, as Oblige, 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 WVSDB Campus Site Upgrades and Related Construction  
Solicitation no. CRFQ 04/03 DBS2500000006

**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 7th day of November, 2024.

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  
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.



# POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: CBIZ INSURANCE SERVICES INC

Agency Code: 30-720164

- ☒ 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 surety(ies) only as delineated above by ☒, 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 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals 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 unambiguously affirm 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. LaPierre*

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 13th day of February, 2020, before me personally came Joelle LaPierre, 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 like authority.



*Jessica Ciccone*

Jessica Noelle Ciccone  
My Commission #FF029702  
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 November 7, 2024.

Signed and sealed in Lake Mary, Florida.



*Keith D. Dozois*

Keith D. Dozois, Assistant Vice President



**State of West Virginia  
Centralized Request for Quote  
Construction**

4

US

**Extension:**

joseph.e.hageriii@wv.gov

**DATE** 11.07.2024

**ADDITIONAL INFORMATION**

The West Virginia Purchasing Division is soliciting bids on behalf of the West Virginia Schools for the Deaf and the Blind (WVSDb) to establish a contract for the renovation and related construction for Campus Site Upgrades at WVSDb per the attached specifications and terms and conditions.

**INVOICE TO****SHIP TO**

SCHOOL FOR THE DEAF &  
BLIND  
301 EAST MAIN ST

SCHOOL FOR THE DEAF &  
BLIND  
301 EAST MAIN ST

ROMNEY WV  
US

ROMNEY WV  
US

| Line | Comm Ln Desc  | Qty | Unit Issue | Unit Price     | Total Price    |
|------|---|-----|------------|----------------|----------------|
| 1    | WVSDb Blue and Gold Renovation and related construction | 1   | LS         | \$3,924,611.08 | \$3,924,611.08 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 72121103  |              |               |         |

**Extended Description:**

WVSDb Campus Site Upgrades and related construction

**SCHEDULE OF EVENTS**

| <u>Line</u> | <u>Event</u> | <u>Event Date</u> |
|-------------|--------------|-------------------|
|-------------|--------------|-------------------|



|               |                |  |           |
|---------------|----------------|--|-----------|
|               | Document Phase | Document Description                                   | Page<br>3 |
| DBS2500000006 | Final          | WVSDS Campus Site Upgrades<br>and related construction |           |

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions



**Subcontractor List Submission (Construction Contracts Only)**

**Bidder's Name:** First Fruits Excavating, Inc.

☐ Check this box if no subcontractors will perform more than \$25,000.00 of work to complete the project.

| Subcontractor Name                  | License Number if Required by<br>W. Va. Code § 21-11-1 et. seq. |
|-------------------------------------|---|
| Monco Constructors                  | 2324-3914   |
| S&S Electric, Inc.                  | WV203811  |
| Bragunier Masonry Contractors, Inc. | WV003464  |
| Daystar Builders, Inc.              | WV050811  |
| Belt Paving, Inc.                   | WV024895  |
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|                                     |   |

Attach additional pages if necessary



**DESIGNATED CONTACT:** Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

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

(Address) President


(Phone Number) / (Fax Number) 304-726-8412 / 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 11/07/2024

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

304-726-8412 / 304-738-1602

(Phone Number) (Fax Number)

buck@firstfruits-wv.com

(Email Address)



**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: CRFQ DBS25\*06**

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

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

**Addendum Numbers Received:**

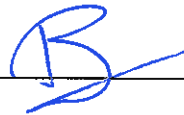
(Check the box next to each addendum received)

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

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

First Fruits Excavating, Inc.

Company



Authorized Signature

11.07.2024

Date

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

Revised 6/8/2012





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

I, Phillip N. Dayton, II, after being first duly sworn, depose and state as follows:

1. I am an employee of First Fruits Excavating, Inc.; and,  
(Company Name)
2. I do hereby attest that First Fruits Excavating, 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: Phillip N. Dayton, II

Signature: 

Title: President

Company Name: First Fruits Excavating, Inc.

Date: 11/07/2024

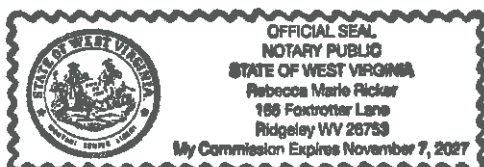
STATE OF WEST VIRGINIA,

COUNTY OF Mineral, TO-WIT:

Taken, subscribed and sworn to before me this 7 day of November, 2024.

By Commission expires November 7, 2027

(Seal)





(Notary Public)





# CONTRACTOR LICENSE

AUTHORIZED BY THE  
West Virginia Contractor  
Licensing Board

NUMBER: WV047004

CLASSIFICATION:

EXCAVATION  
UTILITIES (SEWER & WATER)  
SPECIALTY

FIRST FRUITS EXCAVATING INC  
DBA FIRST FRUITS EXCAVATING INC  
407 PLUM RUN RD  
RIDGELEY, WV 26753

DATE ISSUED

JULY 10, 2024

EXPIRATION DATE

JULY 10, 2025

Authorized Signature

Chair, 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.



West Virginia Schools for the Deaf and the Blind  
Campus Site Upgrades  
Exhibit A Pricing Sheet

The Bidder, being familiar with and understanding the bidding documents and also having examined the site and being familiar with all location conditions affecting the project, hereby proposes to furnish all labor, material, equipment, supplies and transportation and to perform all work in accordance with the Bidding Documents within the time set forth as follows:

Base Bid:

**\$ 3,924,611.08**

submitted by First Fruits Excavating, Inc.