



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

Request for Quotation

RFQ NUMBER
DNR211034

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER
304-558-2316

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

DIVISION OF NATURAL RESOURCES
 ELKINS OFFICE
 RANDOLPH CENTER - SUITE 222
 1200 HARRISON AVENUE
 ELKINS, WV
 26241

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/26/2010				

BID OPENING DATE: **11/17/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 4 *****						
THIS ADDENDUM IS ISSUED TO:						
1) PROVIDE THE ATTACHED TECHNICAL QUESTIONS & ANSWERS						
2) ADD PAGES NUMBER 137 THROUGH 143 TO THE PLANS AND SPECIFICATIONS.						
3) PROVIDE THE ATTACHED PHOTOGRAPH CONTAINING APPROXIMATE DEPTHS.						
4) 4 DRAWINGS						
***** END ADDENDUM NO. 4 *****						
0001		LS		968-18		
BRIDGE CONSTRUCTION						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
 2. The State may accept or reject in part, or in whole, any bid.
 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
 5. Payment may only be made after the delivery and acceptance of goods or services.
 6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
 7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
 10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
 12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
 13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
 14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
 15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
 16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.
- I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).

October 19, 2010

TO: ALL BIDDERS

**REF: STONEWALL RESORT
PEDESTRIAN BRIDGE CONSTRUCTION
RFQ DNR211034**

SUBJECT: ADDENDUM NO. 4

ADMINISTRATIVE ITEMS

1. An aerial photo of the proposed bridge is attached. The drawing depicts water depth measurements of recent soundings of the proposed bridge location.
2. Additional Contractor Certification forms, as required by project's grant funding source have been attached to this Addendum. Each bidder must include the completed forms with the bid submittal.

TECHNICAL QUESTIONS

1. Do subcontractors also have to have a West Virginia GC License?
Response: Subcontractors must have a valid West Virginia Contractor's License for their discipline.
2. What permits, licenses, inspections, tests, fees, etc are required?
Response: No permits are required. Test requirements are included in Section 01400 in the Project Manual and Specifications. This generally applies to earthwork and concrete work; for this project submittals, with product testing and specification documentation should provide for required testing.
3. Please define what the local labor requirements are?
Response: There are no local labor requirements.
4. Can any soils borings/reports be made available from this site or nearby roadway bridge that was built?
Response: The available information pertaining to the existing bridge is attached to this Addendum.
5. What is the LF of the trail?
Response: The approximate length of the trail/access to be constructed on the campground terminus of the bridge is 260 feet.
6. The project is specified for deck level construction, does this mean no barges can be used to construct the bridge?
Response: The bridge may be constructed using a boat/barge. Army Corps approvals, if any are required, for work boats in Stonewall Lake will be the contractor's responsibility.
7. Are there any work hour restrictions?

Response: Work hours are: 8:00 am and 6:00 pm, Mon – Saturday. Consideration may be given to requests for working on Sunday.

8. Are there any utilities that will be in the trail or bridge path.

Response: No, there are not any utilities in the paths of the trail or bridge.

9. Is there a labor agreement involved or union involvement requirements?

Response: No, there is not a labor agreement other than the requirement for Prevailing Wage Rates.

10. Is the job tax exempt?

Response: The project is not tax exempt.

11. Does the unit price #1 include the cost of the trail too or just the boardwalk.

Response: Unit Price #1 does not include the cost of the trail.

12. Is the General Contractor responsible for surveying and layout of the boardwalk? Who will be setting the benchmarks for this project?

Response: The General Contractor will be responsible for surveying and layout. Benchmark coordinates will be provided to the successful bidder for their use.

13. What type of material is the adjacent path supposed to be? How thick should it be?

Response: The material can be class I aggregate or #57 stone, 4 inches. It is the contractor's access to the bridge and as such should be maintained. The park will add the final surface treatment after the contractor has finished the project leaving the project access route graded and with an initial aggregate base to be used as part of the trail.

14. Drawing No. 5, material note No. 1, "Unless otherwise specified, all sawn lumber shall be southern yellow pine, grade no. 2, S4S, pressure treated to a minimum of 0.040 CCA retention except all railing members shall be southern yellow pine grade no. 1545 with the same pressure treatment required." Is the minimum retention supposed to be 0.040 CCA Please advise?

Response: Yes, railing members are to be pressure treated to a minimum of 0.040 CCA retention time.

15. Drawing No. 5, material note No. 1 (see above), Please advise on what the railing material is supposed to be, there is no such thing as grade no. 1545. Should this be No. 1 grade S4S? Please advise.

Response: Yes, railing material should be No. 1 Grade S4S.

16. Please give more information or details on the gateways, such as timber sizes and preservative treatments for the lumber, etc.

Response: The gateways are depicted by the concept design drawings only. Inferences that are to be made from the concept drawings include 1) the timbers should be consistent in size with the structural timbers of the bridge, 2) preservative treatments should be consistent with the structural timbers of the bridge, 3) fasteners should be consistent with the structural timbers of the bridge.

17. Please give requirements for the stone for the gateways, such as type of stone, color and dimensions of base, etc.

Response: As noted on the concept drawing "Stone Column to Match Lodge." The Stonewall Resort Web Page provides a photograph of the typical stone appearance. The exposed stone at the resort is a laminate stone. Similar construction is acceptable for the gateways. The stone base dimensions are approximately 36" by 36". A web address for the photo mentioned above is: http://www.stonewallresort.com/special_promotions/current_promotions.asp

18. What needs to be submitted with the bid (bid form, request for quotation, etc.) and which bid form should we submit our bid on, the one in the project manual or the one in the request for quotation? How many copies need to be submitted? Please advise.

Response: The Bid Submittal needs to include all requested forms.

19. Is the GC required to have a job trailer with temporary utilities (electric)?

Response: A job trailer is not a requirement of the project. However, the GC will be provided a setup location if he chooses to have a job trailer.

20. What quantity of perimeter fence is required during construction?

Response: The quantity of perimeter fence is not defined. However, it must be sufficient quantity to protect both the contractor and the public. See note 8 on plan sheet 1.

21. Is the GC permitted to work weekends from 9 am to 5:30 pm? Please advise.

Response: Refer to the response to question 7 above.

22. In section 01400 – Quality Control 1.8A Testing –what will need to be tested?

Response: This generally applies to earthwork and concrete work and is part of the specification. The submittals should answer all the possible testing needs for this project.



James G. Schotsch, PE
DNR Project Engineer

CONTRACTOR CERTIFICATIONS

The following certification forms must be completed by the contractor and submitted to the Project Sponsor with their bid package. Failure to do so prior to the bid opening will cause the contractor to be disqualified.

Please note the affidavit must be sworn to before a notary public who must affix their seal thereto (seal required, see Sections I and J).

Project Sponsor is responsible to insure the completed certification forms are included with the bid packages submitted to the Sponsor prior to the bid opening.

August 12, 2008

CONTRACTOR CERTIFICATIONS

STATE PROJECT _____

FEDERAL PROJECT _____

FOR

BIDDING REQUIREMENTS AND CONDITIONS**CONTRACTOR'S DRUG-FREE WORKPLACE POLICY**

Each Contractor submitting a bid must include with the bid, on a form provided by the Project Sponsor, an affidavit that the Contractor implements and maintains a written drug-free workplace policy which meets the requirements of Article 1D, Chapter 21 of the Official Code of West Virginia, as amended. The successful bidder must submit a copy of its drug-free workplace policy within ten (10) days following the letting and prior to the awarding of the contract. Any successful bidder who fails to submit the policy within the specified time limit will risk forfeiture of his/her proposal guaranty bond.

The successful bidder must also insure that its subcontractors implement and maintain a written drug-free workplace policy complying with Article 1D, a copy of which must be submitted to the Project Sponsor by the Contractor prior to the start of the subcontract work. The contract may be terminated if the Contractor:

- Fails to implement its policy;
- Fails to provide information regarding implementation of the policy at the request of the Project Sponsor; or,
- Provides to the Project Sponsor false information regarding the policy.

A clearly legible copy of the written drug-free workplace policy must be kept posted in a prominent and easily accessible place at the project site by each contractor subject to the provisions of Article 1D.

Every contractor shall keep an accurate record showing the names, occupation and safety-sensitive status of all employees, in connection with the construction on the project, and showing any drug tests or alcohol tests performed and employee education and supervisor training received, which record shall be open at all reasonable hours for inspection by the Project Sponsor. The Contractor must preserve these records for three years after completion and acceptance of the project.

All drug testing information specifically related to individual employees is confidential and should be treated as such by anyone authorized to review or compile program records.

NOTICE TO CONTRACTORS

PLEASE READ AND COMPLETE SECTIONS A THROUGH K. THIS DOCUMENT MUST BE EXECUTED BY CONTRACTOR FOR ACCEPTANCE OF THIS PROPOSAL. SIGNATURE ON PAGE 5 REPRESENTS CONTRACTOR'S UNDERSTANDING AND INTENTION TO COMPLY WITH ALL DOCUMENTS CONTAINED IN THIS PROPOSAL.

STATE OF _____,

COUNTY OF _____, To-Wit:

I, _____ (Name of Company)

the contractor _____, subcontractor _____, supplier _____

on Project No(s). _____

in _____ County(s), West Virginia,

by _____ Title: _____ (Name of Authorized Representative)

being duly sworn do depose, say and certify that:

Section A: FREE COMPETITIVE BIDDING AFFIDAVIT

That said person, firm, Association or Corporation, has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid or contract.

Section B: CERTIFICATION WITH REGARD TO THE PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS (FEDERAL AID ONLY)

That said person, firm, Association or Corporation has _____, has not _____, participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that said person, firm, Association or Corporation has _____, has not _____, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U. S. Department of Labor.

**DISADVANTAGED BUSINESS ENTERPRISE
UTILIZATION AFFIRMATIVE ACTION CERTIFICATE**

Section C:

A Disadvantaged Business Enterprises (DBE) goal of zero has been set for all Transportation Enhancement (TE), Recreational Trail (RT), Scenic Byway (SB), or Safe Routes To School (SRTS) projects, however, the West Virginia Division of Highways (WVDOT) encourages the consideration of DBEs when hiring contractors for any TE, RT, SB, or SRTS project. If you, as the sponsoring agency, have specific DBE goals or guidelines established, you must utilize them when hiring for this project.

CONTRACTOR'S PLAN FOR DBE PARTICIPATION

DBE ¹ Sub-Contractor	LINE	ITEM #	DESCRIPTION	QUANTITY	UNIT	PER UNIT	AMOUNT ²

CONTRACTOR'S DBE GOAL³: PERCENT _____ % OF BID AMOUNT \$ _____

1. DBE for the purpose of the certificate means a disadvantaged business as defined by Special Provisions in the Proposal.
2. ²If material is to be supplied the figure in this column shall not exceed 60% of the actual cost unless the material is manufactured by a DBE in which case 100% of the cost can be recorded.
3. ³The total DBE GOAL participation as a percentage of the total contract bid amount, if applicable. The WVDOT DBE goal for this project is zero, however, if the sponsoring agency, has specific DBE goals or guidelines established, then they must be utilized.
4. If the material is not supplied by a regular dealer as defined in 49 CFR 26.55(e)(2)(ii), the figure in this column ² shall include only a reasonable and customary fee or commission for providing a beneficial service.
5. The Contractor shall submit written and signed documentation of commitment to use a DBE subcontractor whose participation the contractor submits to meet a contract goal.
6. The Contractor shall submit written and signed confirmation from the DBE that is participating in the contract as provided in the prime contractor's commitment.

Section D: ASSURANCE REQUIREMENT REGARDING EQUAL EMPLOYMENT OPPORTUNITY FOR VENDORS, SUPPLIERS AND CONTRACTORS ENGAGED IN COMMERCIAL TRANSACTIONS WITH THE PROJECT SPONSOR.

Any firm desiring to avail itself of the benefits of engaging in commercial transactions with the Project Sponsor hereby agrees to:

- (1) give assurances that all employment and personnel practices will be conducted without regard to race, color, sex, creed or national origin.
- (2) include in all recruitment advertisement the following wording: "An Equal Opportunity Employer".

Section E: COMPLETION DATE (OPTIONAL – It is recommended that this statement or a similar statement be included in the Contractor Certifications, however, it is not required.)

Construction under the above proposal and calculation of working time will begin no later than ____ calendar days after notice to proceed, and will be completed by date of _____.

It is agreed that time is of the essence for this contract, and that I(we) will, in the event of my(our) failure to complete the contract within the time limited named, reimburse the Project Sponsor an amount to be determined by the said Project Sponsor as sufficient to cover fully any additional demonstrable costs incurred by the Project Sponsor because of such failure, including extra engineering costs, unless covered by a Liquidated Damage Clause for this project.

Section F: CERTIFICATE OF COMPLIANCE INVOLVING THE SUPPLYING OF ALUMINUM, GLASS, STEEL OR IRON PRODUCTS

We have complied and shall continue to comply with the provisions of Chapter 5, Article 19, of the Official West Virginia code, 1931, as amended, which statute is incorporated herein by reference and the applicable specifications, involving Domestic Aluminum, Glass, and Iron in Public Works Projects. We have also complied and shall continue to comply with the provisions of Chapter 5A, Article 3, Section 56 of the West Virginia code, 1931, as amended, which statute is incorporated herein by reference and the applicable specifications, involving *Domestic Steel Products in State Supported Projects.*

Section G: BLANK

Section H: WEST VIRGINIA CONTRACTOR LICENSING ACT CHAPTER 21 ARTICLE 11 CODE OF WEST VIRGINIA¹ LICENSE NUMBER _____

¹ Refer to Specification 102.6

Section I: DRUG AND ALCOHOL FREE WORKPLACE



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

STATE OF WEST VIRGINIA,

COUNTY OF _____, TO-WIT:

I, _____, after being first duly sworn, depose and state as follows:

- 1. I am an employee of _____; and,
(Company Name)
- 2. I do hereby attest that _____
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

(Company Name)

By: _____

Title: _____

Date: _____

Taken, subscribed and sworn to before me this _____ day of _____.

My Commission expires _____

(Seal)

(Notary Public)

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

Jan 2009

Section J: ADDENDA (Project Sponsor to include this statement if addendums exist.)

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to the contractor's proposal, plans and/or specifications, or other applicable documents and have considered the addendum(s) in the calculation of my bid.

ADDENDUM NUMBERS: 1 ___ 2 ___ 3 ___ 4 ___ 5 ___. I further acknowledge that failure to confirm receipt of the addendum(s) will cause my proposal to be rejected.

Section K: IF AN INDIVIDUAL, SIGN BELOW:

(Name) (Street and Post Office Address)

IF AN INDIVIDUAL DOING BUSINESS UNDER A TRADE NAME SIGN BELOW:

(Trade Name) (Street and Post Office Address)

Sole Owner By _____

IF A PARTNERSHIP, SIGN BELOW:

(Name of Partnership) (Street and Post Office Address)

By _____
(Authorized Partner) (Street and Post Office Address)

IF A JOINT BID, SIGN BELOW:

(Name of Corporation) (Name of Corporation)

Incorporated under the laws of the State of _____
Incorporated under the laws of the State of _____

By _____
By _____

(Title of Officer) (Title of Officer)

(Street and Post Office Address) (Street and Post Office Address)

IF A CORPORATION, SIGN BELOW:

(Name of Corporation)

Incorporated under the laws of the State of _____

By _____

(Street and Post Office Address) (Title of Officer Signing)

ACKNOWLEDGMENT, MUST BE NOTARIZED:

Taken, subscribed and sworn to before me this _____ day of _____, 20 _____.

My Commission Expires _____

Notary Seal is required

Notary Public