

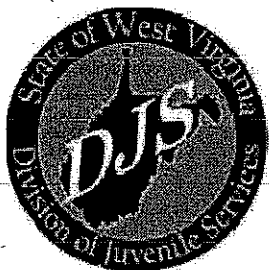
GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

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.html 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).



Re: Pre-Bid Meeting Minutes
 Davis Center Renovations
 Request for Quotation #DJS010353

Date: 03 Feb 2012
 Time: 1:30 pm
 Location: Davis Center
 Blackwater Falls Road
 Davis, West Virginia 26260

1. ADMINISTRATIVE:

- a. Sign-In Sheet
- b. Owner/User : West Virginia Division of Juvenile Services
- c. Designer of Record: ZMM, Inc.

2. INTRODUCTION:

a. OWNER/USER:

- 1. Address
 West Virginia Division of Juvenile Services
 1200 Quarrier Street
 Charleston, WV 25301

- 2. Contacts

Mr. Jim Goddard
 Director of Operations

Mr. Rick Bostic
 Procurement Officer

Ms. Stephanie Bond
 Superintendent – Kenneth Honey Rubenstein Juvenile Center

b. DESIGNER OF RECORD:

- 1. Address
 ZMM Architects and Engineers
 222 Lee Street West
 Charleston, WV 25302

2. Contacts

Mr. Rodney Pauley
Project Manager

Fax: (304) 345-8144
Email: rodney@zmm.com

c. PURCHASING:

1. Address

WV Department of Administration - Purchasing Division
Building 15
2019 Washington Street East
Charleston, WV 25305

2. Contact

Ms. Tara Lyle
Senior Buyer

Fax: (304) 558-4115
Email: tara.l.lyle@wv.gov

3. BIDDING ISSUES

- a. Work will be constructed under a single prime contractor.
- b. Written questions and prebid substitutions will be accepted until 5:00 pm on Thursday, 16 February 2012. Inquiries may be sent via USPS, fax, courier or email (email preferred) to Ms. Tara Lyle at Purchasing Division.
- c. In order to assure no one receives an unfair advantage, no questions will be answered orally. Direct verbal communication with the Designer of Record is not authorized.
- d. Substitution requests shall include the name of the material or equipment for which it is to be substituted and a complete description of the proposed substitution including drawings, performance and test data, and other information necessary for an evaluation. The burden of proof of the merit of the proposed substitution is upon the proposer.
- e. All questions shall be answered and all approved substitutions requests shall be set forth in an Addendum that will be issued by Tara Lyle at the WV Purchasing Division.
- f. Signed & sealed bids will be received by the Owner until 1:30 pm on Tuesday, 06 March 2012.

WV Department of Administration – Purchasing Division
Building 15
2019 Washington Street East
Charleston, WV 25305

4. CONTRACT DURATION / LIQUIDATED DAMAGES

- a. Contract Duration is 365 calendar days from the NTP.
- b. Liquidated Damages are \$500 for each day of delay.

5. AFFIDAVITS, BONDING, INSURANCE AND WAGE RATES

- a. Any solicitation for a public improvement construction contract requires the submission of a Purchasing Affidavit.
- b. A Drug-Free Workplace Affidavit must be signed and submitted with the Bid. Failure to submit shall result in disqualification of Bid.
- c. Prevailing Wage Rates apply to this project. The Contractor and subcontractors shall pay the U.S. Department of Labor minimum wage rates as established for Tucker County.
- d. The successful Contractor is required to provide/furnish proof of the following:
 1. Worker's Compensation coverage
 2. Commercial General Liability Insurance
 3. Builder's Risk Insurance in an amount equal to 100% of the Contract.
 4. Performance Bond and Labor/Material Bond for 100% of the Contract.
 5. 2-year Maintenance Bond covering the roof system.
 6. Bid Bond equal to 5% of the total amount of the bid, payable to the State of WV, shall be submitted with each Bid.
- e. The successful Contractor must be, or become a registered vendor with the State of WV by the time the bid is awarded.

6. WORK/SITE ACCESS

- a. The Contractor will have access to the site 24/7, including weekday nights and weekends.
- b. Contractor is required to provide to the Project Manager, a listing of personnel, which will be gaining access to the site at the first pre-construction meeting.
- c. Supervision: In accordance with Contract documents, the Contractor must maintain full-time, active superintendent on the job. Duties of the superintendent will be identified at the first pre-construction meeting.
- d. Owner will be hiring a contractor to provide and install the new asphalt paving, re-sealing existing asphalt paving and striping. All new concrete site paving will be by the GC.
- e. Owner will be hiring a fencing contractor to provide and install fencing around the utility courtyard and security fencing around the site perimeter and outdoor recreation yards. The sally port security gates and fencing will be part of the base bid contract.

7. SUPERVISION OF WORK

- a. Designer of Record (ZMM) will have the responsibility for the observation of Contractor's quality of work. The Designer of Record will provide recommendations for actions regarding progress payments, change orders, and acceptance of work.

8. ASPECTS OF CONTRACT (Please review the following)

- a. Contract Modification Procedures – Section 01250
- b. Payment Procedures - 01290
- c. Project Management and Coordination (Meetings) – Section 01310
- d. Submittal Procedures – Section 01330
- e. Temporary Facilities and Controls – Section 01500
- f. Substitutions - 01631
- g. Execution Requirements - 01700
- h. Cutting and Patching – Section 01731
- i. Selective Demolition - 01732
- j. Warranties – Section 01740

9. SUMMARY OF WORK

- a. A brief description of the demolition and new construction activities was given by ZMM along with a summary of work being performed by the Owner, the break-out prices for the kitchen equipment and the unit price for the helical piers.

10. PREQUALIFICATION OF ELECTRONIC SECURITY SYSTEM MANUFACTURERS

- a. Please refer to Specification 17000 – Electronic Security System, Section 1.03.
- b. Prequalification is required for any manufacturer wishing to provide bids on the Electronic Security Systems other than those listed in Item A.
- c. Proposed manufacturers are required to submit specific qualifications as outlined in Item B to become prequalified. Failure to provide all information by the deadline is grounds for disqualification.
- d. Qualification information will be accepted for architect's review until 5:00 pm on Thursday, 16 February 2012. Qualifications may be sent via USPS, fax, courier or email (email preferred) to Mr. Rodney Pauley at ZMM.
- e. All prequalified manufacturers shall be set forth in an Addendum that will be issued by Tara Lyle at Purchasing Division.



February 3, 2012

ADDENDUM NO. 2

RE: Davis Center Renovations
West Virginia Division Of Juvenile Services
Blackwater Falls Road
Davis, West Virginia 26260
Architect's Project No. 1026

TO: Prospective Bidders

FROM: ZMM, Inc. Architects and Engineers

This Addendum forms a part of the Contract Documents and modifies the original Bidding Documents.

ATTACH THIS ADDENDUM TO THE FRONT COVER OF THE PROJECT MANUAL AND ACKNOWLEDGE RECEIPT OF THIS ADDENDUM IN THE SPACE PROVIDED ON THE BID FORM.

PRE-BID CONFERENCE ATTENDANCE LIST IS ATTACHED TO THIS ADDENDUM

PRE-BID MEETING MINUTES ARE ATTACHED TO THIS ADDENDUM

PART 1 - CLARIFICATIONS:

- A. Section 17000 – Electronic Security System, 1.03-C: Delete last line of paragraph, "There shall be no substitutions allowed that have not been approved by addenda."

End of Addendum

Attachments: Pre-Bid Conference Attendance List.....5 pages
Pre-Bid Meeting Minutes4 pages

DAVIS CENTER
Pre-Bid Conference
SIGN IN SHEET

[Please Print]

Request for Proposal No.: DJS010353 Date: February 2, 2012

Firm & Representative Name	Mailing Address	Telephone & FAX Numbers
1. <u>CDUZIER233@yahoo.com</u> <u>Daniel Construction Co.</u> <u>Chris Duzier</u> <u>R Y CON CONSTRUCTION INC</u>	<u>P.O. Box 685</u> <u>Colony Bridge, WV</u> <u>25085</u>	T: <u>304-632-1600</u> F: <u>304-632-1501</u>
2. <u>KEVIN CROUCH</u>	<u>2525 LIBERTY AVE</u> <u>PITTSBURGH PA 15222</u>	T: <u>412-392-2525</u> F: <u>412-392-2526</u>
3. <u>@Paramount Builders</u> <u>Charlie Lucas</u>	<u>501 6TH AVE</u> <u>St. Albans, WV 25177</u>	T: <u>304-727-2770</u> F: <u>304-727-0302</u>
4. <u>SOLO CRANE INC.</u> <u>Steve Solomon</u> <u>Solomon sueann@aol.com</u>	<u>194 W Park AVE</u> <u>Westover, WV 26501</u>	T: <u>304-288-0820</u> F: <u>304-328-5880</u>
5. <u>W. Harley Miller Contractors</u> <u>TERRY AIKENS</u>	<u>1193 Hedgesville Road</u> <u>Martinsburg, W.Va. 25403</u>	T: <u>304-267-8959</u> F: <u>304-267-3847</u>
6. <u>Harbel, Inc.</u> <u>Jeremy Irons</u>	<u>P.O. Box 358</u> <u>Cumberland, MO 21502</u>	T: <u>301-729-8900</u> F: <u>301-729-0163</u>
7. <u>AE Security GRP</u> <u>JIM KORHMAN</u>	<u>PO BOX 688 43074</u> <u>SUNBURY, OH</u>	T: <u>740 816 8011</u> F: <u>740 965 3267</u>
8. <u>AE Security Group</u> <u>Jeff Pyles</u>	<u>PO Box 688</u> <u>Sunbury, OH 43074</u>	T: <u>614-787-0669</u> F: _____
9. <u>OL CLUSE</u> <u>DAVID BOFF</u>	<u>4165 CORSLAND RD</u> <u>DAVIS WV 26260</u>	T: <u>3048464861</u> F: <u>3048468764</u>
10. <u>TEAMUS CONSTRUCTION</u> <u>RUSSELL BOEHM</u>	<u>137 EAST MAIN ST.</u> <u>CARNEGIE PA 15106</u>	T: <u>412 278 0330</u> F: <u>3725</u>

Please print or write legibly. The fax number is essential to contact the attendees in a timely manner.

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Request for Proposal No.: DJS010353 Date: February 2, 2012

Firm & Representative Name	Mailing Address	Telephone & FAX Numbers
1. <u>City Construction Co</u> <u>BUD HENDERSON</u> <u>BHENDERSON@WVPSL.NET</u>	<u>P.O. Box 285</u> <u>CLARKSBURG WVA</u>	T: <u>304-623-2573</u> F: <u>623-5179</u>
2. <u>Dan Hill Const</u> <u>Dan Hill</u>	<u>P.O. Box 685</u> <u>Ganley Bridge, WV</u>	T: <u>304-632-1600</u> F: <u>632-1501</u>
3. <u>Manheim Corp.</u> <u>Rhonda Friend</u>	<u>2025 Greentree Rd</u> <u>Pittsburgh PA 15220</u>	T: <u>412-306-0534</u> F: <u>412-306-0535</u>
4. <u>Wallz Corp</u> <u>Greg Kittredge</u>	<u>2051 W. Chestnut St</u> <u>Washington PA 15301</u>	T: <u>724-223-9680</u> F: <u>724-223-9704</u>
5. <u>Gill-Simpson</u> <u>Rick House</u>	<u>45 Queen St.</u> <u>Cambridge Md.</u>	T: <u>301-777-1133</u> F: 301 FAX <u>301-777-8568</u>
6. <u>PAUL NUZUM</u>	<u>Lombardi Development Co.</u> <u>820 Donegal Drive East, Follansbee, WV 26037</u> <u>Ph: 304-748-5920 Fax: 304-748-8488</u> <u>bernie@lombardidevelopment.com</u>	T: _____ F: _____
7. <u>Breckenridge Corp.</u> <u>Keith Skelton</u>	<u>PO Box 247 Brickyard Rd</u> <u>Buckhannon WV 26201</u>	T: <u>304-472-3350</u> F: <u>304-472-8506</u>
8. <u>John DELANEY</u> <u>F.K. EVEREST Elec</u>	<u>140 Business Park Drive</u> <u>FAIRMONT WV 26554</u>	T: <u>304-363-8830</u> F: <u>304-363-8946</u>
9. <u>Joel Radman</u> <u>March Westin</u>	<u>360 Frontier St</u> <u>Morgantown WV 26505</u>	T: <u>304-599-4880</u> F: <u>304-599-7509</u>
10. _____	_____	T: _____ F: _____

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<u>Firm & Representative Name</u>	<u>Mailing Address</u>	<u>Telephone & FAX Numbers</u>
1. <u>Wiseman Construction</u> <u>Andy Wiseman</u>	<u>1616 6th Ave. Char, WV</u> <u>25387</u>	T: <u>304-344-1200</u> F: <u>304-344-1281</u>
2. <u>G.A. Brown & Son</u> <u>Andy Taylor</u>	<u>215 Mill St</u> <u>Farmington, WV 26554</u>	T: <u>304.363.4500</u> F: <u>304.366.9456</u>
3. <u>Connie Hill-St. Bump</u> <u>WV Purchasing Div.</u>	<u>2019 Washington St. E.</u> <u>Charleston WV</u>	T: <u>304-558-2157</u> F: <u>304 558-3970</u>
4. <u>Veritas Contracting</u> <u>Nic Moray</u> <u>NMoray@VeritasWV.com</u>	<u>1233 Pineview Dr. Suite #1</u> <u>Morgantown, WV 26505</u>	T: <u>304-598-2285</u> F: <u>304-598-2287</u>
5. _____	_____	T: _____ F: _____
6. _____	_____	T: _____ F: _____
7. _____	_____	T: _____ F: _____
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<u>Firm & Representative Name</u>	<u>Mailing Address</u>	<u>Telephone & FAX Numbers</u>
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1. <u>Triple H cont.</u> <u>Howard Harper</u>	<u>PO Box 176</u> <u>Beverly WV 26253</u>	T: <u>304 636 1194</u> F: <u>636 4773</u>
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2. <u>Rick Bostic</u> <u>JUNIOR SERVICES</u>	<u>1200 Quarrier St.</u> <u>CHARLESTON, WV 25301</u>	T: <u>304-558-9900</u> F: _____
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3. <u>Tara Lyle, Senior Buyer</u> <u>2019 Washington Street, E</u>	<u>Purchasing Division</u> <u>Charleston, WV 25309</u>	T: <u>304-558-2514</u> F: <u>304-558-4115</u>
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4. _____ _____	_____	T: _____ F: _____
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5. _____ _____	_____	T: _____ F: _____
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6. _____ _____	_____	T: _____ F: _____
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7. _____ _____	_____	T: _____ F: _____
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8. _____ _____	_____	T: _____ F: _____
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9. _____ _____	_____	T: _____ F: _____
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10. _____ _____	_____	T: _____ F: _____
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Request for Proposal No.: DJS010353 Date: February 2, 2012

<u>Firm & Representative Name</u>	<u>Mailing Address</u>	<u>Telephone & FAX Numbers</u>
1. <u>W R PRAK LLC</u> <u>PATRICK CLELLAND</u>	<u>109 WATER ST. STONEWOOD</u> <u>IND PARK P.O. BOX 8236</u> <u>STONEWOOD WV 26301</u>	T: <u>304-624-7155</u> F: <u>304-624-7182</u>
2. _____	_____	T: _____ F: _____
3. _____	_____	T: _____ F: _____
4. _____	_____	T: _____ F: _____
5. _____	_____	T: _____ F: _____
6. _____	_____	T: _____ F: _____
7. _____	_____	T: _____ F: _____
8. _____	_____	T: _____ F: _____
9. _____	_____	T: _____ F: _____
10. _____	_____	T: _____ F: _____

Please print or write legibly. The fax number is essential to contact the attendees in a timely manner.

EXHIBIT 10

REQUISITION NO.:

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED
ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY
PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:

NO. 1

NO. 2

NO. 3

NO. 4

NO. 5

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE
ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. VENDOR
MUST CLEARLY 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.

.....
SIGNATURE

.....
COMPANY

.....
DATE