

Solicitation Response(SR) Dept: 0310 ID: ESR0919190000001787 Ver.: 1 Function: New Phase: Final

Modified by batch , 09/19/2019

Header 5



General Information Contact Default Values Discount Document Information

**Procurement Folder:**

604124

**Procurement Type:**

Agency Contract - Fixed Amt

**Vendor ID:**

000000203330

**Legal Name:**

CLAUDE ERPS CONSTRUCTION INC

**Alias/DBA:**

**Total Bid:**

\$38,755.00

**Response Date:**

09/19/2019

**Response Time:**

13:01

**SO Doc Code:**

ARFQ

**SO Dept:**

0310

**SO Doc ID:**

DNR2000000007

**Published Date:**

9/13/19

**Close Date:**

9/19/19

**Close Time:**

13:30

**Status:**

Closed

**Solicitation Description:**

Addendum No 3 -Twin Falls  
Resort SP- Keycard Locking



**Total of Header Attachments:**

5

**Total of All Attachments:**

5

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Commodity		Total Lines: 1	Line: 1	Commodity: 46171500	Total Price: \$38,755.00		
Line	Commodity	CL Description	Total Price	Award Date	Requested Contract Amount	Contract Amount	
1	46171500	Door interlocking systems	\$38,755.00		0.00	\$0.00	
From 1 to 1 Total: 1							

General Information Commodity Information Specification Shipping and Handling

<p><b>CL Description:</b> Door interlocking systems</p> <p><b>Commodity:</b> 46171500 Locks and security hardware and accessories</p> <p><b>Commodity Specifications:</b></p> <p><b>Line Type:</b> Service</p> <p><b>Total Price:</b> \$38,755.00</p> <p><b>Response Type:</b> Bid</p> <p><b>Comments:</b></p>	<p><b>Alternate Specs Submitted:</b></p> <p><input type="checkbox"/></p>
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Agency \_\_\_\_\_  
REQ.P.O# \_\_\_\_\_

Bond No. 72188422

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Claude Erps Construction, Inc.  
of Bluefield, West Virginia, as Principal, and WESTERN SURETY COMPANY  
of Chicago, IL, a corporation organized and existing under the laws of the State of SD  
with its principal office in the City of Chicago, IL, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5% of amount 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  
Key Card Locking System at RR 97, Mullens, WV

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 29th day of August, 2019.

Principal Seal

Claude Erps Construction, Inc./Claude Erps

(Name of Principal)

By Claude Erps

(Must be President, Vice President, or  
Duly Authorized Agent)

President

(Title)

Surety Seal



WESTERN SURETY COMPANY

(Name of Surety)

Charlene J. Reynolds

Attorney-in-Fact  
Charlene J. Reynolds

**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.**

# Western Surety Company

## POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 72188422

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint CHARLENE J REYNOLDS

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Claude Erps Construction, Inc.

Obligee: West Virginia Division of Natural Resources

Amount: \$1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

If Bond No. 72188422 is not issued on or before midnight of November 29, 2019, all authority conferred in this Power of Attorney shall expire and terminate.

In witness whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Brufat, and its corporate seal to be affixed this 29th day of August, 2019.

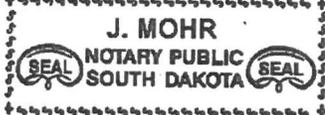


WESTERN SURETY COMPANY

*Paul T. Brufat*

Paul T. Brufat, Vice President

On this 29th day of August, in the year 2019, before me, a notary public, personally appeared Paul T. Brufat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



*J. Mohr*

Notary Public - South Dakota

My Commission Expires June 23, 2021

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 29th day of August, 2019.

WESTERN SURETY COMPANY

*Paul T. Brufat*

Paul T. Brufat, Vice President

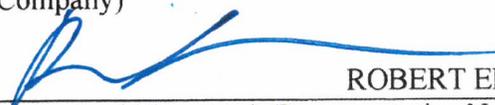
To validate bond authenticity, go to [www.enasurety.com](http://www.enasurety.com) > Owner/Obligee Services > Validate Bond Coverage.

**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.

 , VICE PRESIDENT

\_\_\_\_\_  
(Name, Title)  
ROBERT ERPS VICE PRESIDENT  
\_\_\_\_\_  
(Printed Name and Title)  
1301 PEN MAR AVE. BLUEFIELD, WV 24701  
\_\_\_\_\_  
(Address)  
(304) 327-0413 (304) 327-0415  
\_\_\_\_\_  
(Phone Number) / (Fax Number)  
cec@erpsconstruction.com  
\_\_\_\_\_  
(email address)

**CERTIFICATION AND SIGNATURE:** By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation 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 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 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.

\_\_\_\_\_  
CLAUDE ERPS CONSTRUCTION, INC.  
\_\_\_\_\_  
(Company)  
 ROBERT ERPS, PRESIDENT  
\_\_\_\_\_  
(Authorized Signature) (Representative Name, Title)

\_\_\_\_\_  
ROBERT ERPS, VICE PRESIDENT  
\_\_\_\_\_  
(Printed Name and Title of Authorized Representative)

\_\_\_\_\_  
09/19/2019  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(304) 327-0413 (304) 327-0415  
\_\_\_\_\_  
(Phone Number) (Fax Number)

ADDENDUM ACKNOWLEDGEMENT FORM  
SOLICITATION NO.: ARFQ DNR20\*07

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 checked="" 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.

CLAUDE ERPS CONSTRUCTION, INC.

Company

  
Authorized Signature

09/19/2019

Date

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

## ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

**1. CONTRACTOR'S LICENSE:** W. Va. Code § 21-11-2 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 Division of Labor. W. Va. Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. If an apparent low bidder fails to submit a license number in accordance with this section, the Property and Procurement Office will promptly request by telephone and electronic mail that the low bidder and the second low bidder provide the license number within one business day of the request. Failure of the bidder to provide the license number within one business day of receiving the request shall result in disqualification of the bid. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: CLAUDE ERPS CONSTRUCTION, INC.  
Contractor's License No.: WV- WV014698

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

**2. DRUG-FREE WORKPLACE AFFIDAVIT:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit an affidavit that the Vendor has a written plan for a drug-free workplace policy. If the affidavit is not submitted with the bid submission, the Property and Procurement Office shall promptly request by telephone and electronic mail that the low bidder and second low bidder provide the affidavit within one business day of the request. Failure to submit the affidavit within one business day of receiving the request shall result in disqualification of the bid. To comply with this law, Vendor should complete the enclosed drug-free workplace affidavit and submit the same with its bid. Failure to submit the signed and notarized drugfree workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, within one (1) business day of being requested to do so shall result in disqualification of Vendor's bid. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

**2.1. DRUG-FREE WORKPLACE POLICY:** Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article. The awarding public authority shall cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

**3. DRUG FREE WORKPLACE REPORT:** Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be