

Solicitation Response(SR) Dept: 0310 ID: ESR0507200000006506 Ver.: 1 Function: New Phase: Final

Modified by batch , 05/07/2020

Header 5



General Information Contact Default Values Discount Document Information

<b>Procurement Folder:</b> 706215	<b>SO Doc Code:</b> ARFQ
<b>Procurement Type:</b> Agency Purchase Order	<b>SO Dept:</b> 0310
<b>Vendor ID:</b> 00000204976	<b>SO Doc ID:</b> DNR200000040
<b>Legal Name:</b> LAURITA EXCAVATING INC	<b>Published Date:</b> 5/7/20
<b>Alias/DBA:</b>	<b>Close Date:</b> 5/7/20
<b>Total Bid:</b> \$776,090.00	<b>Close Time:</b> 13:30
<b>Response Date:</b> 05/07/2020	<b>Status:</b> Closed
<b>Response Time:</b> 10:08	<b>Solicitation Description:</b> Addendum No. 03_Fairfax Pond Dam Structural Repairs
	<b>Total of Header Attachments:</b> 5
	<b>Total of All Attachments:</b> 5

# CONTRACTOR LICENSE

Authorized by the

## West Virginia Contractor Licensing Board

**Number:** WV001135

**Classification:**

GENERAL BUILDING  
GENERAL ENGINEERING  
MULTIFAMILY  
RESIDENTIAL  
SPECIALTY  
EXCAVATION

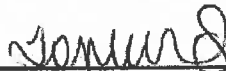
LAURITA EXCAVATING INC  
DBA LAURITA INC  
3748 DENTS RUN BLVD  
MORGANTOWN, WV 26501

**Date Issued**

**Expiration Date**

AUGUST 13, 2019

AUGUST 13, 2020



Authorized Company Signature



Chair, West Virginia Contractor  
Licensing Board



WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where 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 cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Laurita Excavating, Inc. dba Laurita, Inc.  
of Morgantown, WV, as Principal, and Great American Insurance Company  
of Cincinnati, OH, a corporation organized and existing under the laws of the State of  
OH with its principal office in the City of Cincinnati, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblgee, 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  
Fairfax Pond Dam Structural Repairs & Modifications

**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 Oblgee 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 30th day of April, 2020.

Principal Seal

Laurita Excavating, Inc. dba Laurita, Inc.  
(Name of Principal)  
By: Ashley M. [Signature]  
(Must be President, Vice President, or  
Duly Authorized Agent)  
Vice President  
(Title)

Surety Seal



Great American Insurance Company  
(Name of Surety)  
By: Karen Bachy [Signature]  
Karen Bachy 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.**

**GREAT AMERICAN INSURANCE COMPANY®**

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than 1

Bond No. Bid Bond

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, the specific bond, undertaking or contract of suretyship referenced herein; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below. The bond number on this Power of Attorney must match the bond number on the bond to which it is attached or it is invalid.

Name	Address	Limit of Power
Karen Bachy	301 Grant Street, Suite 470 Pittsburgh, PA 15219	\$100,000,000.00

Principal: Laurita Excavating, Inc. dba Laurita, Inc.

Oblgee: State of West Virginia

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 30th day of April, 2020.

Attest

GREAT AMERICAN INSURANCE COMPANY



*Stephen C. Beraha*  
Assistant Secretary

*David C. Kitchen*  
Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 30th day of April, 2020, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



Susan A. Kohorst  
Notary Public, State of Ohio  
My Commission Expires 06-19-2020

*Susan A. Kohorst*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

*RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.*

*RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.*

**CERTIFICATION**

I, STEPHEN C. BERHAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 30th day of April, 2020.



*Stephen C. Beraha*  
Assistant Secretary



State of West Virginia

## Construction Bid Submission Review Form

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*This list has been provided for informational purposes only and is not to be construed as a complete list of request for quotation or bidding requirements for any individual construction project. This list does not and cannot include every item, mistake or oversight that could cause a contractor's bid to be disqualified. Rather, this list is intended to draw attention to some of the most common problems that the Purchasing Division encounters in the bidding process for construction projects. All potential bidders must read the request for quotation, all additional documents, and all instructions relating thereto ("Bid Documents") in their entirety to identify the actual request for quotation and bidding requirements. Failure to read the Bid Documents in their entirety and comply with the stated requirements contained therein may result in bid disqualification.*

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### Errors That Shall Be Reason for Immediate Bid Disqualification

1. Failure to attend a mandatory pre-bid meeting
2. Failure to sign the bid
3. Failure to supply West Virginia contractor's license# on bid
4. Failure to supply a signed drug free workplace affidavit with the bid
5. Failure to supply a valid bid bond or other surety approved by the State of West Virginia
6. Failure to meet any mandatory requirement of the RFQ
7. Failure to acknowledge receipt of Addenda (only if stipulated as mandatory)
8. Failure to submit bid prior to the bid opening date and time
9. Federal debarment
10. State of West Virginia debarment or suspension

### Errors that May Be Reason for Bid Disqualification Before Contract Award

1. Uncontested debt to the State exceeding \$1,000.00 (must be cured prior to award)
2. Workers' Compensation or Unemployment Compensation delinquency (must be cured prior to award)
3. Not registered as a vendor with the State (must be cured prior to award)
4. Failure to obtain required bonds and/or insurance
5. Failure to provide the sub-contractor listing within 1 business day of bid opening.
6. Failure to use the provided RFQ form (only if stipulated as mandatory).

EXHIBIT A - PRICING PAGE 1/2  
Fairfax Pond Dam Modifications

Name of Bidder:

Laurita, Inc.

Address of Bidder:

3748 DENTS RUN BLVD  
SUITE A  
MORGANTOWN, WV 26501

Phone Number of Bidder:

304-0296-7531

WV Contractors License  
No.

WV 001135

We, the undersigned, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the general conditions to bidders, drawings, and specifications, hereby proposes to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding documents.

**Base Bid**

The Base Bid shall consist of all the work described in the Construction Documents.

**All Bidders should complete the following Unit Price Sheets.** All unit prices shall include the complete installed price including all necessary work, labor, supplies, materials, equipment, excavation, backfill, etc. All items not specifically enumerated in the Plans and Specifications shall be considered incidental to the project and included in the various pay items.

Unit Prices shall be used solely for the negotiations of any requested Change Orders subsequent to the award of the Contract. Any contract issued as a result of this bid will contain the amount of the base bid and any approved alternates. Incomplete Bids will be considered non-responsive. Quantities indicated on the following page(s) are best estimates of actual quantities needed. **The Contract award shall be based on the lowest Total Base Bid.**

**Total Base Bid:** Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, **written in figures.**

\$ 776,090.00

**Total Base Bid:** Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, **written in words.**

SEVEN HUNDRED SEVENTY-SIX THOUSAND  
NINETY DOLLARS AND ZERO CENT

**EXHIBIT A - PRICING PAGE 2/2**  
**FAIRFAX POND DAM MODIFICATIONS - REV. 0**

Prepared By: Civil Tech Engineering, Inc.

December 21, 2018

ITEM	DESCRIPTION	QUANTITY	UNIT	BID	
				COST/UNIT	EXTENDED PRICE (\$)
1.0	SURVEYING (Max. 5% of Contract)	1.0	LS	30,000 <sup>00</sup>	30,000 <sup>00</sup>
2.0	QUALITY CONTROL TESTING (Max. 5% of Contract)	1.0	LS	38,000 <sup>00</sup>	38,000 <sup>00</sup>
3.0	MOB/DEMOB (Max. 10% of Contract)	1.0	LS	38,000 <sup>00</sup>	38,000 <sup>00</sup>
4.0	CLEARING & GRUBBING	1.0	AC	12,000 <sup>00</sup>	12,000 <sup>00</sup>
5.0	SPILLWAY DEMOLITION	1.0	LS	25,000 <sup>00</sup>	25,000 <sup>00</sup>
6.0	PRINCIPAL SPILLWAY AND TRICKLE TUBE	1.0	LS	158,500 <sup>00</sup>	158,500 <sup>00</sup>
7.0	EXCAVATION	7270.0	CY	17 <sup>50</sup>	127,225 <sup>00</sup>
8.0	REINFORCED CONCRETE	16.0	CY	4825 <sup>00</sup>	77,200 <sup>00</sup>
9.1	COHESIVE FILL	2755.0	CY	17 <sup>00</sup>	46,835 <sup>00</sup>
9.2	RANDOM FILL	3735.0	CY	17 <sup>00</sup>	63,495 <sup>00</sup>
10.0	RIP RAP	80.0	CY	150 <sup>00</sup>	12,000 <sup>00</sup>
11.0	EROSION & SEDIMENT CONTROL	1.0	LS	20,000 <sup>00</sup>	20,000 <sup>00</sup>
12.0	SEEDING, FERTILIZING, & MULCHING	3.5	AC	3400 <sup>00</sup>	11,900 <sup>00</sup>
13.0	DEWATERING & WATER CONTROL	1.0	LS	60,000 <sup>00</sup>	60,000 <sup>00</sup>
14.1	CRUSHED STONE AGGREGATE	450.0	CY	56 <sup>50</sup>	25,425 <sup>00</sup>
14.2	PIPE GATE REMOVAL AND REINSTALLATION	1.0	EA	6000 <sup>00</sup>	6000 <sup>00</sup>
14.3	GUARD RAIL	412.0	LF	30 <sup>00</sup>	12,360 <sup>00</sup>
14.4	FISHERMAN'S TRAIL	486.0	LF	25 <sup>00</sup>	12,150 <sup>00</sup>

BID PRICE

**\$ 776,090.00**

*Attila M. ... 5-7-20*

ADDENDUM ACKNOWLEDGEMENT FORM  
SOLICITATION NO.: ARFQ DNR20\*40

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 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.

Laurita, Inc  
Company

Adela Muel  
Authorized Signature

5-7-20  
Date

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





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

**STATE OF WEST VIRGINIA,**

**COUNTY OF \_\_\_\_\_, TO-WIT:**

I, Toni D Dering, after being first duly sworn, depose and state as follows:

- I am an employee of Laurita Excavating Inc dba Laurita Inc; and,  
(Company Name)
- I do hereby attest that Laurita Excavating Inc dba Laurita 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: Toni D Dering

Signature: [Handwritten Signature]

Title: Exec VP Secy Treas

Company Name: Laurita Excavating Inc dba Laurita Inc

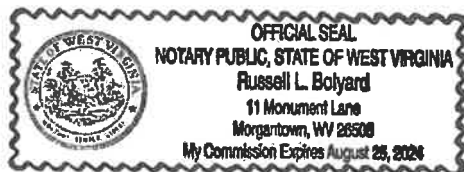
Date: 5/7/20

Taken, subscribed and sworn to before me this 7<sup>th</sup> day of May, 2020.

By Commission expires August 25<sup>th</sup>, 2024

(Seal)

[Handwritten Signature: Russell L Bolyard]  
(Notary Public)



STATE OF WEST VIRGINIA  
Purchasing Division  
**PURCHASING AFFIDAVIT**

**CONSTRUCTION CONTRACTS:** Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

**ALL CONTRACTS:** Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

**DEFINITIONS:**

**"Debt"** means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"Related party"** means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Laurita Excavating Inc dba Laurita Inc

Authorized Signature: [Signature] Date: 5/7/20

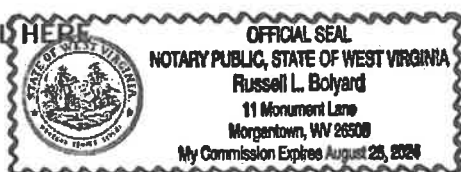
State of West Virginia

County of Mingo, to-wit:

Taken, subscribed, and sworn to before me this 7<sup>th</sup> day of May, 2020.

My Commission expires August 25<sup>th</sup>, 2024.

AFFIX SEAL HERE



NOTARY PUBLIC

[Signature]