

Solicitation Response(SR) Dept: 0310 ID: ESR0507200000006513 Ver.: 1 Function: New Phase: Final

Modified by batch , 05/07/2020

Header  1



General Information Contact Default Values Discount Document Information

Procurement Folder: 706215	SO Doc Code: ARFQ
Procurement Type: Agency Purchase Order	SO Dept: 0310
Vendor ID: 000000211224	SO Doc ID: DNR2000000040
Legal Name: ANDERSON EXCAVATING LLC	Published Date: 5/7/20
Alias/DBA: RODNEY B ANDERSON	Close Date: 5/7/20
Total Bid: \$295,236.90	Close Time: 13:30
Response Date: 05/07/2020	Status: Closed
Response Time: 11:08	Solicitation Description: Addendum No. 03_Fairfax Pond Dam Structural Repairs
	Total of Header Attachments: 1
	Total of All Attachments: 1

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

Name of Bidder:

Anderson Excavating, LLC

Address of Bidder:

343 Williams Rd.
Morgantown, WV 26501

Phone Number of Bidder:

304-983-2296

WV Contractors License
No.

WV033687

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.**

\$295,236.⁹⁰

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

Two Hundred Ninety Five Thousand
Two Hundred Thirty Six dollars
Ninety Cents

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	\$9,400. ⁰⁰	\$9,400. ⁰⁰
2.0	QUALITY CONTROL TESTING (Max. 5% of Contract)	1.0	LS	\$9,400. ⁰⁰	\$9,400. ⁰⁰
3.0	MOB/DEMOB (Max. 10% of Contract)	1.0	LS	\$18,850. ⁰⁰	\$18,850. ⁰⁰
4.0	CLEARING & GRUBBING	1.0	AC	\$14,400. ⁰⁰	\$14,400. ⁰⁰
5.0	SPILLWAY DEMOLITION	1.0	LS	\$8,750. ⁰⁰	\$8,750. ⁰⁰
6.0	PRINCIPAL SPILLWAY AND TRICKLE TUBE	1.0	LS	\$33,651. ⁰⁰	\$33,651. ⁰⁰
7.0	EXCAVATION	7270.0	CY	\$4.52	\$32,860. ⁴⁰
8.0	REINFORCED CONCRETE	16.0	CY	\$1,044. ⁶⁷	\$16,714. ⁷²
9.1	COHESIVE FILL	2755.0	CY	\$14. ³²	\$39,451. ⁶⁰
9.2	RANDOM FILL	3735.0	CY	\$4. ⁵²	\$16,882. ²⁰
10.0	RIP RAP	80.0	CY	\$71. ³⁵	\$5,708. ⁰⁰
11.0	EROSION & SEDIMENT CONTROL	1.0	LS	\$24,600. ⁰⁰	\$24,600. ⁰⁰
12.0	SEEDING, FERTILIZING, & MULCHING	3.5	AC	\$2,500. ⁰⁰	\$8,750. ⁰⁰
13.0	DEWATERING & WATER CONTROL	1.0	LS	\$17,164. ⁰⁰	\$17,164. ⁰⁰
14.1	CRUSHED STONE AGGREGATE	450.0	CY	\$46. ⁵⁴	\$20,943. ⁰⁰
14.2	PIPE GATE REMOVAL AND REINSTALLATION	1.0	EA	\$1,075. ⁰⁰	\$1,075. ⁰⁰
14.3	GUARD RAIL	412.0	LF	\$25. ⁸⁴	\$10,654. ³²
14.4	FISHERMAN'S TRAIL	486.0	LF	\$12. ³¹	\$5,982. ⁶⁶

BID PRICE

\$295,236.⁹⁰

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.

Company Anderson Excavating, LLC

Authorized Signature 

Date 5/07/2020

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

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Anderson Excavating, LLC
of Morgantown, West Virginia, as Principal, and Ohio Farmers Insurance Co
of Westfield Center, Ohio, a corporation organized and existing under the laws of the State of OH
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of 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 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 7th day of May, 2020.

Principal Seal

Anderson Excavating, LLC
(Name of Principal)

By [Signature]
(Must be President, Vice President, or
Duly Authorized Agent)

President
(Title)

Surety Seal

Ohio Farmers Insurance Co
(Name of Surety)

[Signature]
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.**

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 11/20/17, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4750402 02

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint J. CHRISTOPHER PALLOTTA, MARK D. PALLOTTA, JOHN JAY PALLOTTA, TIMOTHY CRAIG JENNINGS, DEBRA KAYE WILSON, KELLY TASKER, HANNAH S. PIERSON, ALEXANDER DAVID BARONE, JOINTLY OR SEVERALLY

of FAIRMONT and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary.

Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 20th day of NOVEMBER A.D., 2017.

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

By: Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio County of Medina ss.:

On this 20th day of NOVEMBER A.D., 2017, before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



David A. Kotnik, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 7th day of May A.D., 2020



Frank A. Carrino, Secretary



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

STATE OF WEST VIRGINIA,
COUNTY OF Monongalia, TO-WIT:

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

1. I am an employee of Anderson Excavating, LLC; and,
(Company Name)
2. I do hereby attest that Anderson Excavating, LLC
(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: Steven Jeffries
 Signature: [Handwritten Signature]
 Title: Estimator
 Company Name: Anderson Excavating, LLC
 Date: 5/07/2020

Taken, subscribed and sworn to before me this 7 day of May, 2020.
 By Commission expires February 15, 2025

(Seal)

[Handwritten Signature: Brandi S. Gibson]
 (Notary Public)



Subcontractor List Submission (Construction Contracts Only)

Bidder's Name: Anderson Excavating, LLC

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 W. Va. Code § 21-11-1 et. seq.

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.

ST Jeffries, Estimator
(Name, Title)

Steven Jeffries, Estimator
(Printed Name and Title)

343 Williams Rd. Morgentown, WV 26501
(Address)

P: 304-983-2296 F: 304-983-4755
(Phone Number) / (Fax Number)

sjeffries@andersonexcavating.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.

Anderson Excavating, LLC
(Company)

ST Jeffries, Steven Jeffries, Estimator
(Authorized Signature) (Representative Name, Title)

Steven Jeffries, Estimator
(Printed Name and Title of Authorized Representative)

5/07/2020
(Date)

P: 304-983-2296 F: 304-983-4755
(Phone Number) (Fax Number)