



**State of West Virginia
Agency Request for Quote
Construction**

Proc Folder: 966700			Reason for Modification: Addendum No. 01 is issued to publish and distribute the attached information to the Vendor Community.
Doc Description: Addendum No. 01 - Lost River SP- Fire Tower Reno (Rebid.2)			
Proc Type: Agency Purchase Order			
Date Issued	Solicitation Closes	Solicitation No	Version
2021-12-16	2021-12-28 13:30	ARFQ 0310 DNR2200000017	2

BID RECEIVING LOCATION	
BID RESPONSE DIVISION OF NATURAL RESOURCES PROPERTY & PROCUREMENT OFFICE 324 4TH AVE SOUTH CHARLESTON WV 25303-1228 US	

VENDOR	
Vendor Customer Code: 00000 77007 Vendor Name: K+L Builders LLC Address: 2883 Beechtown Rd. Street: _____ City: French Creek State: WV Country: U.S. Zip: 26218 Principal Contact: Jon Gay Vendor Contact Phone: (304) 642-5284 Extension: n/A	

FOR INFORMATION CONTACT THE BUYER
 James H Adkins
 (304) 558-3397
 jamie.h.adkins@wv.gov

Vendor Signature X *Jon J. Gay* **FEIN#** 02-0734077 **DATE** 12/21/2021

All offers subject to all terms and conditions contained in this solicitation

ADDITIONAL INFORMATION

Addendum No. 01 is issued to publish and distribute the attached information to the Vendor Community.

INVOICE TO		SHIP TO	
DIVISION OF NATURAL RESOURCES		DIVISION OF NATURAL RESOURCES	
LOST RIVER STATE PARK		LOST RIVER STATE PARK	
321 PARK DR		321 PARK DR	
MATHIAS WV		MATHIAS WV	
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Base Bid- Fire Tower Renovations at Lost River State Park				

Comm Code	Manufacturer	Specification	Model #
72000000			

Extended Description:

Lost River State Park Fire Tower Renovations project

INVOICE TO		SHIP TO	
DIVISION OF NATURAL RESOURCES		DIVISION OF NATURAL RESOURCES	
LOST RIVER STATE PARK		LOST RIVER STATE PARK	
321 PARK DR		321 PARK DR	
MATHIAS WV		MATHIAS WV	
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Additive Alternate No. 01- Belay System Installation				

Comm Code	Manufacturer	Specification	Model #
72151704			

Extended Description:

Additive Alternate No. 01:
3.1 Lost River State Park- Fire Tower Belay Safety System

SCHEDULE OF EVENTS		
Line	Event	Event Date
1	NON MANDATORY PRE-BID MEETING @ 11AM EST	2021-12-07
2	TECHNICAL QUESTION DEADLINE @ 9AM EST	2021-12-14

	Document Phase	Document Description	Page 3
DNR2200000017	FINAL	Addendum No. 01 - Lost River SP- Fire Tower Reno (Rebid.2)	

ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: ARFQ DNR22*17

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 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.

K+ L Builders LLC
Company

Jon J. Day
Authorized Signature

12/21/2021
Date

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, K & L Builders, LLC
of 2883 Beechtown Rd., French Creek, WV 26218, as Principal, and WESTERN SURETY COMPANY
of 151 North Franklin, 17th Floor, Chicago, IL 60606, a corporation organized and existing under the laws of the State of South Dakota with its principal office in the City of Chicago, Illinois, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of Five (5%) Percent of the Amount Bid (\$ 5% of the 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 Lost River SP-Fire Tower Renovations

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 28th day of December, 2021.

Principal Seal

K & L Builders, LLC

(Name of Principal)

By

Jon J. Boy

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

owner

(Title)

Surety Seal

WESTERN SURETY COMPANY

(Name of Surety)

Linda K. Montgomery
Linda K. Montgomery 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.

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 72424032

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 LINDA K MONTGOMERY

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: K & L Builders, LLC

Obligee: Division of Natural Resources Property and Procurement Office

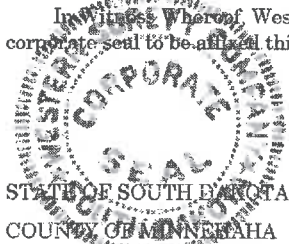
Amount: \$1,000,000.00

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. 72424032 is not issued on or before midnight of March 28, 2022, 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. Bruflat, and its corporate seal to be affixed this 28th day of December, 2021.

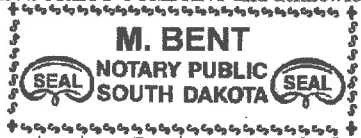


WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

On this 28th day of December, in the year 2021, before me, a notary public, personally appeared Paul T. Bruflat, 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.



M. Bent

Notary Public - South Dakota

My Commission Expires March 2, 2026

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 28th day of December, 2021.

WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond

REQUEST FOR QUOTATION
West Virginia Division of Natural Resources – Parks and Recreation Section
Rehabilitation & Renovation of the Fire Tower at Lost River State Park (Rebid.2)

Exhibit A – Pricing Page

Name of Vendor:

K+L Builders LLC

Address of Vendor:

2883 Beechtown Rd.
French Creek, WV 26218

Phone Number of Vendor:

(304) 642-5284

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 vendors, 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 rehabilitation and renovation of the facility and related work described in the drawings and specifications. **Total Base Bid** shall be indicated in the space below.

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

\$92,400.00

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

Ninty two thousand Four hundred dollars and
Zero cents

REQUEST FOR QUOTATION
West Virginia Division of Natural Resources – Parks and Recreation Section
Rehabilitation & Renovation of the Fire Tower at Lost River State Park (Rebid.2)

Exhibit A – Pricing Page

Additive Alternate No. 01:

The Base Bid shall consist of rehabilitation and renovation of the facility and related work described in the drawings and specifications. **Additive Alternate No. 01** shall be indicated in the space below.

Additive Alternate No. 01:

Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in figures.

<i>No Bid</i>

Additive Alternate No. 01:

Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in words.

<i>No Bid</i>

**The contract award shall be based on the lowest base bid or the lowest combination of the base bid and alternate bid items, as selected by the owner. **

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: K&L Builders LLC
Contractor's License No.: WV- 030643

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

CONTRACTOR LICENSE

Authorized by the
West Virginia Contractor Licensing Board

Number: WV030643

Classification:
GENERAL BUILDING

K & L BUILDERS LLC
DBA K & L BUILDERS LLC
2883 BEECHTOWN ROAD
FRENCH CREEK, WV 26218


Date Issued

Expiration Date

FEBRUARY 03, 2021

FEBRUARY 03, 2022


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.

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.

Jon J. Gay owner
(Name, Title)

Jon T. Gay owner
(Printed Name and Title)

2883 Beechtown Rd. French Creek, WV 26218
(Address)

(304) 642-5284
(Phone Number) / (~~Fax Number~~)

JTGay5284@yahoo.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.

K+L Builders LLC
(Company)

Jon J. Gay Jon T. Gay owner
(Authorized Signature) (Representative Name, Title)

Jon T. Gay owner
(Printed Name and Title of Authorized Representative)

12/21/2021
(Date)

(304) 642-5284
(Phone Number) (~~Fax Number~~)

REQUEST FOR QUOTATION

**West Virginia Division of Natural Resources – Parks and Recreation Section
Rehabilitation & Renovation of the Fire Tower at Lost River State Park (Rebid.2)**

9.4.2 Final Inspection: Vendor shall participate in a final inspection with the Agency’s project manager. The purpose of the final inspection will be to identify deficiencies that need to be remedied prior to Agency’s final acceptance of the work. Vendor shall at all times be obligated to perform in accordance with the Contract and must take all actions necessary to ensure that work complies with requirements of Contract prior to final acceptance. Final acceptance does not waive or release Vendor from its obligation to ensure that work complies with the Contract requirements. Vendor shall submit any warranty documents to the Agency project manager at final inspection.

9.4.3 Final Payment: Upon satisfactory completion of the project the vendor will provide the Agency with an “Affidavit of Debts and Claims” on a form prescribed by the Agency prior to release of any retainage or final payment.

10. FACILITIES ACCESS: Performance of Contract Services may require access cards and/or keys to gain entrance to Agency’s facilities. In the event that access cards and/or keys are required:

10.1 Vendor must identify principal service personnel which will be issued access cards and/or keys to perform service.

10.2 Vendor will be responsible for controlling cards and keys and will pay replacement fee if the cards or keys become lost or stolen.

10.3 Vendor shall notify Agency immediately of any lost, stolen, or missing card or key.

10.4 Anyone performing under this Contract will be subject to Agency’s security protocol and procedures.

10.5 Vendor shall inform all staff of Agency’s security protocol and procedures.

11. MISCELLANEOUS:

11.1 Contract Manager: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor’s responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Tom Gay

Telephone Number: (304) 642-5284

Fax Number: N/A

Email Address: JTGay5284@yahoo.com

Subcontractor List Submission (Construction Contracts Only)

Bidder's Name: K & L Builders 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
NONE	W. Va. Code § 21-11-1 et. seq.

Attach additional pages if necessary.



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

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

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

- 1. I am an employee of K+L Builders LLC; and,
(Company Name)
- 2. I do hereby attest that K+L Builders 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: Levi Gay
 Signature: Levi Gay
 Title: Crew leader
 Company Name: K+L Builders LLC
 Date: 12/17/2021

Taken, subscribed and sworn to before me this 17 day of December 2021.

By Commission expires July 25 2024

(Seal)



Kristen Montgomery
(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: K&L Builders LLC

Authorized Signature: Jon J. Day Date: 12/17/2021

State of West Virginia

County of Upshur, to-wit:

Taken, subscribed, and sworn to before me this 17 day of Dec, 2021

My Commission expires July 25, 2024



NOTARY PUBLIC Kristen Montgomery
Purchasing Affidavit (Revised 01/19/2018)

