



State of West Virginia
Agency Request for Quote

| Proc Folder: 1352405 | | Reason for Modification: | |
|---|---------------------|--------------------------|---------|
| Doc Description: Replacement of Hot Water Heaters Project | | Addendum No. 2: | |
| Proc Type: Agency Purchase Order | | | |
| Date Issued | Solicitation Closes | Solicitation No | Version |
| 2024-01-20 | 2024-01-23 10:30 | ARFQ 0608 DCR2400000071 | 3 |

BID RECEIVING LOCATION

VENDOR

Vendor Customer Code:

Vendor Name : Nitro Construction Services

Address : 4300 First Avenue

Street :

City : Nitro

State : WV

Country : USA

Zip : 25143

Principal Contact : Jamie Kuhn

Vendor Contact Phone: 304-204-1555

Extension:

FOR INFORMATION CONTACT THE BUYER

Philip K Farley
(304) 549-1050
philip.k.farley@wv.gov

Vendor
Signature X

FEIN#

20-8844160

DATE

1/23/24

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

ADDITIONAL INFORMATION

The West Virginia Division of Corrections and Rehabilitation (DCR), on behave of Western Regional Jail and Correctional Facility (WRJ&CF), to establish a contract for a lump sum quotation to replace three (3) existing hot water heaters with new. The facility is located at located at 1 O'Hanlon Place, Barboursville, WV 25504 and is in Cabell County.

| INVOICE TO | | SHIP TO | |
|---|--|---|--|
| DIVISION OF CORRECTIONS - CENTRAL OFFICE 1124 SMITH STREET SECOND FLOOR CHARLESTON WV US | | WESTERN REGIONAL JAIL 1 O'HANLON PLACE BARBOURSVILLE WV US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|------------------|---------|------------|------------|---------------|
| 1 | Total Bid Amount | 0.00000 | | | \$ 239,437.99 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 40101826 | | | |

Extended Description:
Replacement of Three (3) Natural Gas Fired Hot Water Heaters Project

SCHEDULE OF EVENTS

| Line | Event | Event Date |
|------|--|------------|
| 1 | Mandatory Pre-Bid Meeting at 10:00 AM E.S.T. | 2024-01-09 |
| 2 | Deadline for Questions at 2:00 PM. E..S.T. | 2024-01-16 |
| 3 | Bids Due by 10:30 AM E..S.T. | 2024-01-23 |

ARFQ 0608 DCR2400000071

Western Regional Jail and Correctional Facility

Replacement Hot Water Heaters Project

Addendum No. 2

Clarifications:

C1: As per stated at the pre-bid meeting, if the contractor has to modify the existing roof to install the new stainless-steel flues through the roof, they must contact the following contractor because the roof was installed in 2022 and has a twenty (20) warranty. Any roof modifications must be performed by the below contractor:

Hash's Construction Company, Inc.
3386 Roush Hollow Road
Bidwell, OH 45614
Phone: (740) 388-8277

If there are any modifications that must be done to the existing roof, the contractor is responsible for any cost that Hash's Construction Company, Inc. must do.

C2: The existing three hot water heaters that are being replaced in this project are each plugged into a receptacle for power. There is existing disconnect switches in each of the mechanical rooms. The contract must connect the power to the new hot water heaters from the disconnect switch, not the receptacle.

C3: The bid time and date remain the same: 10:30 AM E.S.T. on January 23, 2024.



State of West Virginia
Agency Request for Quote

| Proc Folder: 1352405 | | Reason for Modification: | |
|---|---------------------|--------------------------|---------|
| Doc Description: Replacement of Hot Water Heaters Project | | Addendum No. 1: | |
| Proc Type: Agency Purchase Order | | | |
| Date Issued | Solicitation Closes | Solicitation No | Version |
| 2024-01-16 | 2024-01-23 10:30 | ARFQ 0608 DCR2400000071 | 2 |

BID RECEIVING LOCATION

VENDOR

Vendor Customer Code:

Vendor Name : Nitro Construction Services

Address : 4300 First Ave

Street :

City : Nitro

State : WV

Country : USA

Zip : 25143

Principal Contact : Jamie Kuhn

Vendor Contact Phone: 304-204-1555 Extension:

FOR INFORMATION CONTACT THE BUYER

Philip K Farley
(304) 549-1050
philip.k.farley@wv.gov

Vendor
Signature X

FEIN# 20-8844160

DATE 1-23-24

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

ADDITIONAL INFORMATION

The West Virginia Division of Corrections and Rehabilitation (DCR), on behalf of Western Regional Jail and Correctional Facility (WRJ&CF), to establish a contract for a lump sum quotation to replace three (3) existing hot water heaters with new. The facility is located at located at 1 O'Hanlon Place, Barboursville, WV 25504 and is in Cabell County.

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| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 40101826 | | | |

Extended Description:
Replacement of Three (3) Natural Gas Fired Hot Water Heaters Project

| SCHEDULE OF EVENTS | | |
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ARFQ 0608 DCR240000071

Western Regional Jail and Correctional Facility

Replacement Hot Water Heaters Project

Addendum No. 1

Questions:

Q1: Does the flue and the fresh air intake need to be double wall, stainless steel, for all 3 boilers?

A1: Yes.

Clarifications:

C1: Please see attached pre-bid sign-in sheet.

C2: The bid time and date remain the same: 10:30 AM E.S.T. on January 23, 2024.

Pre-Bid Sign-In Sheet

Solicitation Number: ARFA 0608 R/R 2400000071
 Date of Pre-Bid Meeting: 1/9/2024
 Location of Prebid Meeting: WRIC CF

Page 1 of 2

Please Note:

Vendors must sign-in on this sheet to verify attendance at the Pre-Bid meeting.
 Failure to legibly sign in may be grounds for declaring a vendor ineligible to bid.
 For further verification, please also provide a business card if possible.

| <u>Firm Represented:*</u> | <u>Rep Name (Printed):</u> | <u>Firm Address:</u> | <u>Telephone #:</u> | <u>Fax #:</u> | <u>Email:</u> |
|-----------------------------|----------------------------|---|---------------------|---------------|-----------------------|
| CIMCO | Darren Griffith | 2336 Virginia Ave. Hurricane, WV 25526 | 304 400-9597 | | Dgriffith@cimcowv.com |
| DSO Mechanical | Rob Harless | 515 3rd Ave. South Char. WV 25303 | 304-744-8479 | 304-744-8491 | bharless@dsomech.com |
| Nitro Construction Services | Samie Kuhn | 4300 1st Ave Nitro WV 25143 | 304-932-6995 | | skuhn@nitrocs.com |
| | | | | | |
| | | | | | |
| | | | | | |

***One Vendor Per Representative** - No one individual is permitted to represent more than one vendor at the pre-bid meeting. Any individual that does attempt to represent two or more vendors will be required to select one vendor to which the individual's attendance will be attributed. The vendors not selected will be deemed to have not attended the pre-bid meeting unless another individual attended on their behalf.

Pre-Bid Sign-In Sheet

Solicitation Number: ARFQ 0608 W/R 2400000071

Date of Pre-Bid Meeting: 1/9/2024

Location of Prebid Meeting: WRJBF

Page 2 of 2

Please Note:

Vendors must sign-in on this sheet to verify attendance at the Pre-Bid meeting. Failure to legibly sign in may be grounds for declaring a vendor ineligible to bid. For further verification, please also provide a business card if possible.

| <u>Firm Represented:*</u> | <u>Rep Name (Printed):</u> | <u>Firm Address:</u> | <u>Telephone #:</u> | <u>Fax #:</u> | <u>Email:</u> |
|---------------------------|----------------------------|--|---------------------|---------------|-------------------------------|
| ATOZ Plumbing | Zach Shickey | 25261 5461 Charleston wv | 304-415-2615 | | Zach@atozplumbingwv.com |
| DOUGHERTY COMPANY, INC. | NAT WARNER | 600 50 ST SE CHAS., WV | 304-925-6669 | 304-925-9280 | natwarner@ doughertyco.com |
| Casto Tech. | Nate Lancaster | 540 Leon Silliman Way Charlem, WV 25301 | 304-346-0549 | — | NLancaster@castotech.com |
| POWELL INC | John Stone | 170 Stringtown Rd Belington WV 26250 | 304 621 7494 | | Powellinc@ Yahoo.com |
| | | | | | |
| | | | | | |

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| Proc Type: Agency Purchase Order | |

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| 2024-01-02 | 2024-01-23 10:30 | ARFQ 0608 DCR2400000071 | 1 |

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Vendor Name: Nitro Construction Services

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Street:

City: Nitro

State: WV **Country:** USA **Zip:** 25143

Principal Contact: Jamie Kuhn

Vendor Contact Phone: 304-204-1555 **Extension:**

FOR INFORMATION CONTACT THE BUYER

Philip K Farley
(304) 549-1050
philip.k.farley@wv.gov

Vendor Signature X

FEIN# 20-8844160 **DATE** 1-23-24

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ADDITIONAL INFORMATION

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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.

J. Kuhn
(Name, Title) HVAC Comm. Serv. Manager
Jamie Kuhn HVAC Comm. Serv. Manager
(Printed Name and Title)
4300 First Ave Nitro, WV 25143
(Address)
304-204-1555 304-204-1350
(Phone Number) / (Fax Number)
jkuhn@nitrocs.com
(Email address)

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

Nitro Construction Services
(Company)
J. Kuhn
(Authorized Signature) (Representative Name, Title) HVAC Comm. Serv. Manager
Jamie Kuhn HVAC Comm. Serv. Manager
(Printed Name and Title of Authorized Representative) (Date)
1-23-24
(Date)
304-204-1555 304-204-1350
(Phone Number) (Fax Number)
jkuhn@nitrocs.com
(Email Address)

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.:

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.

Nitro Construction Services

Company

Jan K

Authorized Signature

1-23-24

Date

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

STATE OF WEST VIRGINIA
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 §15A-3-14, 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: Atro Construction Services

Authorized Signature: [Signature] Date: 1-23-24

State of West Virginia

County of Putnam, to-wit:

Taken, subscribed, and sworn to before me this 23 day of January, 2024

My Commission expires April 3, 2024

AFFIX SEAL HERE



NOTARY PUBLIC

[Signature]

Purchasing Affidavit (Revised 03/09/2019)



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

STATE OF WEST VIRGINIA,

COUNTY OF Putnam, TO-WIT:

I, Jamie Kuhn, after being first duly sworn, depose and state as follows:

1. I am an employee of Nitro Construction Services; and,
(Company Name)
2. I do hereby attest that Nitro Construction Services
(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: Jamie Kuhn
 Signature: [Handwritten Signature]
 Title: HVAC Comm. Serv. Manager
 Company Name: Nitro Construction Services
 Date: 1-23-24

Taken, subscribed and sworn to before me this 23 day of January, 2024.

By Commission expires April 3, 2024

(Seal)



[Handwritten Signature]
(Notary Public)

ARFQ 0608 DCR2400000071
REQUEST FOR QUOTATION
REPLACEMENT OF HOT WATER HEATERS PROJECT
WESTERN REGIONAL JAIL AND CORRECTIONAL FACILITY

- 2) Contractor must submit three (3) electronic in PDF format on USB drives.

1.09 MISCELLANEOUS

A. Contract Manager

1. During its performance of this Contract, Contractor must designate and maintain a primary contract manager responsible for overseeing Contractor'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. Contractor should list its Contract manager and his or her contact information below.

Contract Manager: Jamie Kuhn

Telephone Number: 304-204-1555

Fax Number: 304-204-1350

Email Address: jkuhn@nitrocs.com

END OF SPECIFICATIONS

ARFQ 0608 DCR240000071
REQUEST FOR QUOTATION
REPLACEMENT OF HOT WATER HEATERS PROJECT
WESTERN REGIONAL JAIL AND CORRECTIONAL FACILITY

EXHIBIT E – PRICING PAGE

Vendor's Company Name: Nitro Construction Services

Vendor's Address: 4300 First Ave
Nitro WV 25143

Phone Number: 304-204-1555

Fax Number: 304-204-1350

Email Address: jkuhn@nitrocs.com

WV Contractor's License Number: WV042601

We, the undersigned, hereby propose to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding Documents.

TOTAL BID AMOUNT: Two Hundred thirty nine thousand

Four Hundred thirty seven and ninety nine cents

(\$ 239,437.99)

(Total bid amount to be written in words and numbers.)

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Nitro Construction Services, Inc.
of Nitro, WV, as Principal, and Philadelphia Indemnity Insurance
Company of Bala Cynwyd, PA, a corporation organized and existing under the laws of the State of
PA with its principal office in the City of Bala Cynwyd, 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%) 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
Western Regional Jail and Correctional Facility- Replacement of Hot Water Heaters Project

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 23rd day of January, 2024.

Principal Seal

Nitro Construction Services, Inc.
(Name of Principal)
By: [Signature]
(Must be President, Vice President, or
Duly Authorized Agent)
Vice President
(Title)

Surety Seal

Philadelphia Indemnity Insurance Company
(Name of Surety)
By: [Signature]
Kimberly L. Mites, Licensed
WV Resident Agent 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.**

SECRET

1. The following information is being furnished to you for your information and guidance. It is classified "Secret" because its disclosure could result in the identification of sources and methods of the Central Intelligence Agency.

2. This information is being furnished to you in confidence and is not to be disseminated outside your agency without the express approval of the Central Intelligence Agency.

SECRET

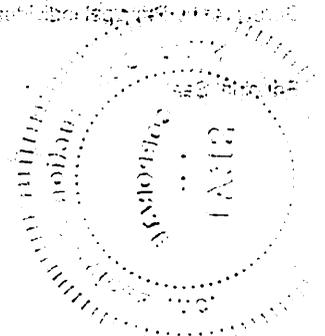
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PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Douglas P. Taylor, Andrew K. Teeter, Kimberly L. Miles, Tammy S. Selbe and Jessica J. Bentley, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **PHILADELPHIA INDEMNITY INSURANCE COMPANY** on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, **PHILADELPHIA INDEMNITY INSURANCE COMPANY** HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.



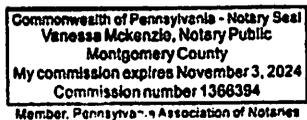
(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:

Vanessa McKenzie



residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 23rd day of January, 20 24



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY



CONTRACTOR LICENSE

AUTHORIZED BY THE
West Virginia Contractor
Licensing Board

NUMBER: WV042601

CLASSIFICATION:

ELECTRICAL
GENERAL BUILDING
HEATING, VENTILATING & COOLING
PIPING
SPECIALTY
LOW VOLTAGE SYSTEMS
SPRINKLER AND FIRE PROTECTION

NITRO CONSTRUCTION SERVICES INC
DBA NITRO MECHANICAL SERVICES
4300 1ST AVE #2
NITRO, WV 25143-1001

DATE ISSUED

JUNE 13, 2023

EXPIRATION DATE

JUNE 13, 2024

Authorized Signature

Chair, West Virginia Contractor
Licensing Board



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