

WV DIVISION OF CORRECTIONS AND REHABILITATION  
LAKIN CORRECTIONAL CENTER AND JAIL  
11264 OHIO RIVER ROAD  
WEST COLUMBIA, WEST VIRGINIA

BID FORM

DATE: 4/17/25

TO THE OWNER: WV Division of Corrections and Rehabilitation  
1409 Greenbrier Street  
Charleston, West Virginia 25311

PROJECT: ARFQ 0608 DCR2500000034  
Lakin Correctional Center and Jail  
HVAC Equipment Replacement Project  
11264 Ohio River Road  
West Columbia, West Virginia 25287

The undersigned, hereinafter called the Bidder, being familiar with and understanding the Bidding Documents and also having examined the site and being familiar with all local conditions affecting the project hereby proposes to furnish all labor, material, equipment, supplies, and transportation, and to perform all Work in accordance with the Bidding Documents.

I (We) acknowledge the following Addenda:

ADDENDUM

<u>NOS.</u>	<u>DATE</u>
<u>#1 3/06/25 ; #2 3/13/25 ; #3 3/21/25</u>	<u>#7 4/15/25</u>
<u>#4 4/02/25 ; #5 4/07/25 ; #6 4/10/25</u>	

I understand that failure to confirm the receipt of the addendum(s) is cause for rejection of bids.

BASE BID: General Construction

All bid pricing below must be written in "Words and Numbers".

I (We) agree to perform all work required to complete construction of the Lakin Correctional Center Lightning Protection, Grounding, and Bonding Project, 11264 Ohio River Road, West Columbia, WV, all in accordance with the Contract Documents for the sum of:

FIVE MILLION, SIXTY-EIGHT THOUSAND, FIVE HUNDRED THIRTY-FOUR  
AND  $\frac{55}{100}$  Dollars (\$ 5,068,534.55).

In the event of a difference between the written amount and the number amount, the written amount shall prevail.

It is expressly agreed that the Work shall be started within 10 days after receipt of the Owner's Notice to Proceed. The Bidder, if successful and awarded the Contract, agrees that all Work is to be Substantially Complete within 365 days and agrees to achieve Final Completion within 30 consecutive calendar days thereafter. I (We) further agree to pay as liquidated damages, the sum of \$500.00 for each consecutive calendar day thereafter as herein provided in Article 5 of the Instructions to Bidders.

Construction Schedule:

Any work performed prior to receipt of the Owner's written Notice to Proceed and/or Purchase Order shall be at the Bidder's risk.

Upon receipt of the Owner's written notice of the acceptance of this Bid, the Bidder agrees that they shall execute and deliver the bonds and insurance certificates, copy of WV Contractors License, No Dept to WV Affidavit, and proof of Workers' Compensation as set forth in the Bidding Documents to the Owner, or the Bidder shall forfeit the security deposited with this Bid.

The Bidder agrees that this Bid shall not be withdrawn for a period of ninety (90) consecutive calendar days following the date for receipt of Bids without forfeiture of the five percent (5%) bid security deposited with this Bid.

RESPECTUFLY SUBMITTED:

DATE: 4/17/25

WV VENDOR NO.: 000000114774

CONTRACTOR LICENSE NO.: WV042601

BY: Lowell Ferguson   
(Signature in ink)

TITLE: President

FIRM NAME: Nitro Construction Services Inc (CORPORATE SEAL  
IF APPLICABLE)

ADDRESS: 4300 1st Avenue Nitro, WV 25143

**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.

Roger Harris Project Manager

(Name, Title)

Roger Harris Project Manager

(Printed Name and Title)

4300 1st Avenue Nitro, WV 25143

(Address)

304-204-1532 / 304-204-1350

(Phone Number) / (Fax Number)

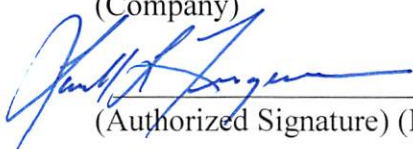
rharris@nitrocs.com

(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)



Lowell Ferguson, President

(Authorized Signature) (Representative Name, Title)

Lowell Ferguson, President

(Printed Name and Title of Authorized Representative) (Date)

4/17/25

(Date)

304-204-1500

(Phone Number) (Fax Number)

lferguson@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)*

☒ Addendum No. 1

☒ Addendum No. 2

☒ Addendum No. 3

☒ Addendum No. 4

☒ Addendum No. 5

☒ Addendum No. 6

☒ Addendum No. 7

☐ Addendum No. 8

☐ Addendum No. 9

☐ 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

  
\_\_\_\_\_  
Authorized Signature

4/16/25

\_\_\_\_\_  
Date

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





# CONTRACTOR LICENSE

AUTHORIZED BY THE  
West Virginia Contractor  
Licensing Board

NUMBER: WV042601

## CLASSIFICATION:

ELECTRICAL  
GENERAL BUILDING  
HEATING, VENTILATING & COOLING  
PIPING  
PLUMBING  
SPRINKLER AND FIRE PROTECTION  
SPECIALTY  
LOW VOLTAGE SYSTEMS <80 VOLTS


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

## DATE ISSUED

JUNE 13, 2024

## EXPIRATION DATE

JUNE 13, 2025



Authorized Signature



Chair, West Virginia Contractor  
Licensing Board



WEST VIRGINIA  
CONTRACTOR  
LICENSING BOARD

A copy of this license must be readily available for inspection by the Board on every job site where contracting 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 is non-transferable. This license is being issued under the provisions of West Virginia Code, Chapter 30, Article 42.



**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 Lakin Correctional Center and Jail HVAC Equipment Replacement 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 Obligor 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 17th day of April, 2025.

Principal Seal

Nitro Construction Services , Inc.

(Name of Principal)

By

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

PRESIDENT

(Title)

**Surety Seal**

Philadelphia Indemnity Insurance Company

(Name of Surety)

By:

Kimberly L. Miles, 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.**

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 of USI Insurance Services, LLC, 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 \$75,000,000.

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 14<sup>th</sup> 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 OCTOBER 2024.



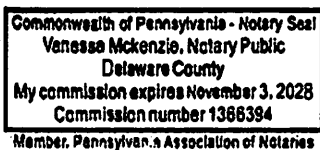
(Seal)

John Glomb, President & CEO  
Philadelphia Indemnity Insurance Company

On this 5<sup>th</sup> day of October, 2024 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*



Member, Pennsylvania Association of Notaries

residing at: Bala Cynwyd, PA

My commission expires: November 3, 2028

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 5<sup>th</sup> day October 2024 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 17<sup>th</sup> day of April, 2025.



Edward Sayago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY



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

I, Scott Bays, 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: Scott Bays

Signature: 

Title: HVAC Division Manager

Company Name: Nitro Construction Services

Date: 4/16/25

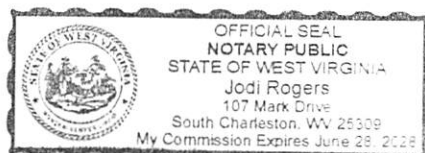
STATE OF WEST VIRGINIA,

COUNTY OF Putnam, TO-WIT:

Taken, subscribed and sworn to before me this 16 day of April, 2025.

By Commission expires JUNE 28, 2028

(Seal)



  
 (Notary Public)