

**WEST VIRGINIA DIVISION OF NATURAL RESOURCES  
REQUEST FOR QUOTATION  
BLACKWATER FALLS SP – KITCHEN CABINETS IN 25 CABINS**

---

**Pricing Page  
Exhibit A**

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 construction 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.

*\$ 96,440.00*

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

*Ninty six thousand Four hundred Forty dollars and zero cents.*



**State of West Virginia  
Request For Quotation  
Construction**

**Procurement Folder :** 720519

**Document Description :** Kitchen cabinets for 25 cabins at Blackwater Falls SP

**Procurement Type :** Agency Purchase Order

| Date Issued | Solicitation Closes    | Solicitation No         | Version | Phase |
|-------------|------------------------|-------------------------|---------|-------|
| 2020-05-01  | 2020-06-02<br>13:30:00 | ARFQ 0310 DNR2000000056 | 1       | Final |

| SUBMIT RESPONSES TO:  | VENDOR  |
|---|---|
| BID RESPONSE<br>DIVISION OF NATURAL RESOURCES<br>PROPERTY & PROCUREMENT OFFICE<br>324 4TH AVE<br>SOUTH CHARLESTON WV 25303-1228<br>US | <b>Vendor Name, Address and Telephone</b><br><i>K &amp; L Builders LLC</i><br><i>2883 Beechtown Rd.</i><br><i>French Creek, WV 26218</i><br><i>(304) 642-5284</i> |

**FOR INFORMATION CONTACT THE**

James H Adkins  
 (304) 558-3397  
 jamie.h.adkins@wv.gov

Signature X *Jon J. Day* FEIN # *02-0734077* DATE *5/27/2020*

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

**ADDITIONAL INFORMATION:**

The West Virginia Division of Natural Resources is soliciting bids on behalf of Parks and Recreation Section to establish a contract for the rehabilitation and renovation of kitchen cabinets in twenty-five (25) cabins at Blackwater Falls State Park located in Tucker County, WV.

| INVOICE TO   |              | SHIP TO  |               |
|--|--------------|--|---------------|
| SUPERINTENDENT<br>DIVISION OF NATURAL RESOURCES<br>BLACKWATER FALLS STATE PARK<br>PO BOX 490 |              | SUPERINTENDENT<br>DIVISION OF NATURAL RESOURCES<br>BLACKWATER FALLS STATE PARK<br>1584 BLACKWATER LODGE RD |               |
| DAVIS  | WV26260-0490 | DAVIS  | WV 26260-0490 |
| US   |              | US   |               |

| Line | Commodity Line Description                            | Qty | Unit Issue | Unit Price | Total Price |
|------|---|-----|------------|------------|-------------|
| 1    | Kitchen cabinets for 25 cabins at Blackwater Falls SP |     |            |            |             |

| Commodity Code | Manufacturer | Model # | Specification |
|----------------|--------------|---------|---------------|
| 72153611       |              |         |               |

**Extended Description**

Rehabilitation and renovation of kitchen cabinets in twenty-five (25) cabins. This will include all materials, labor, and equipment necessary to complete all construction services.

**SCHEDULE OF EVENTS**

| Line | Event   | Event Date |
|------|---|------------|
| 2    | The Non-Mandatory Pre-Bid from 12:00 p.m - 4:00 p.m. ET | 2020-05-11 |
| 3    | Technical Question Deadline at 9:00 a.m. ET             | 2020-05-20 |

|                      |                                |  |                              |
|----------------------|--------------------------------|--|------------------------------|
| <b>DNR2000000056</b> | <b>Document Phase</b><br>Final | <b>Document Description</b><br>Kitchen cabinets for 25 cabins at Blackwater Falls SP | <b>Page 3</b><br><b>of 3</b> |
|----------------------|--------------------------------|--|------------------------------|

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

## 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



**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 Gay  
~~Jon Gay~~, owner  
(Name, Title)

Jon Gay, owner  
(Printed Name and Title)

2883 Beechtown Rd. French Creek WV 26218  
(Address)

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

JT Gay 5284 @ 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 Gay Jon Gay, owner  
(Authorized Signature) (Representative Name, Title)

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

5/27/2020  
(Date)

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

**REQUEST FOR QUOTATION  
WEST VIRGINIA DIVISION OF NATURAL RESOURCES – PARKS & RECREATION  
BLACKWATER FALLS SP – KITCHEN CABINET REPLACEMENT (25 CABINS)**

**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:** Jon Gay

**Telephone Number:** (304) 642-5284

**Fax Number:** N/A

**Email Address:** JTGay5284@yahoo.com



**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, K & L BUILDERS, LLC  
of 2883 BEECHTOWN RD, FRENCH CREEK, WV, as Principal, and WESTERN SURETY  
CO of CHICAGO, IL 60606, a corporation organized and existing under the laws of the State of IL  
with its principal office in the City of CHICAGO, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of 5% (\$ 4822.00 ) 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  
Kitchen cabinets for 25 cabins at Blackwater Fall SP  
# ARFQ 0310 DNR 2000000056

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 28 day of May, 2020.

Principal Seal

K & L Builders, LLC  
(Name of Principal)  
By Jon J. Day  
(Must be President, Vice President, or  
Duly Authorized Agent)  
owner  
(Title)

Surety Seal

Western Surety Company  
(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.**

# Western Surety Company

## POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 65085998

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

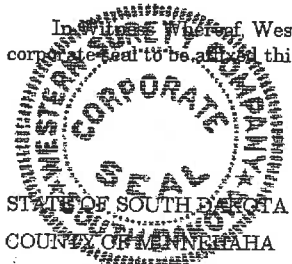
Amount: \$1,000,000.00

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. 65085998 is not issued on or before midnight of August 30, 2020, all authority conferred in this Power of Attorney shall expire and terminate.

In testimony 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 1st day of June, 2020.

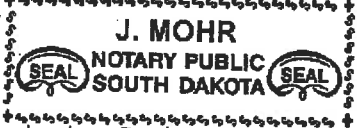


WESTERN SURETY COMPANY

*Paul T. Bruflat*

Paul T. Bruflat, Vice President

On this 1st day of June, in the year 2020, 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.



*J. Mohr*

Notary Public - South Dakota

My Commission Expires June 23, 2021

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 1st day of June, 2020.

WESTERN SURETY COMPANY

*Paul T. Bruflat*

Paul T. Bruflat, Vice President

To validate bond authenticity, go to [www.cnasurety.com](http://www.cnasurety.com) > Owner/Obligee Services > Validate Bond Coverage.

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: 5/27/2020

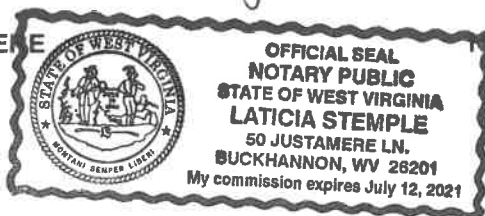
State of West Virginia

County of Upshur, to-wit:

Taken, subscribed, and sworn to before me this 27 day of May, 2020.

My Commission expires July 12, 2021.

AFFIX SEAL HERE



NOTARY PUBLIC

Laticia Stemple



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

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: [Handwritten Signature]  
 Title: Crew Leader  
 Company Name: K+L Builders LLC  
 Date: 5/27/20

STATE OF WEST VIRGINIA,

COUNTY OF Upshur, TO-WIT:

Taken, subscribed and sworn to before me this 27 day of May, 2020.

By Commission expires 7/12/21

(Seal)

[Handwritten Signature]  
 (Notary Public)

