



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

<b>Proc Folder:</b> 820523			<b>Reason for Modification:</b>
<b>Doc Description:</b> District 2 and 3 Office Renovations			
<b>Proc Type:</b> Agency Purchase Order			
<b>Date Issued</b>	<b>Solicitation Closes</b>	<b>Solicitation No</b>	<b>Version</b>
2021-01-04	2021-02-11 13:30	ARFQ 0310 DNR2100000040	1

**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:**

**Vendor Name :**

**Address :** Wolf Creek Contracting Company, LLC  
**Street :** 403 Watertown Road  
**City :** Waterford, Ohio 45786  
**State :** Country : United States Zip :

**Principal Contact :** Matt Wyscarver

**Vendor Contact Phone:** 740-749-3459 **Extension:**



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

**Vendor Signature X**  **FEIN#** 26-3715560 **DATE** 02/23/2021

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

EXHIBIT A – PRICING PAGE  
WV Division of Natural Resources  
District 2 and District 3 Office Building Renovations

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Name of Vendor: Wolf Creek Contracting Company, LLC

Address of Vendor: 403 Watertown Road, Waterford, Oh. 45786

Phone Number of Vendor: 740-749-3459

WV Contractors License No. **WV-** 046042

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, at both buildings as described in the Bidding documents.

**“A” Base Bid**

The Base Bid shall consist of all the work described in the Bidding Documents including the Plans, Project Manual, and any addendums not identified as an additive alternate.

**Total Base Bid:**  
Lump sum for all labor, materials, and equipment necessary for a complete project.  
**Written in numbers.**

*#747,972.00*

**Total Base Bid: “A”**  
Lump sum for all labor, materials, and equipment necessary for a complete project.  
**Written in words.**

*Seven hundred forty-seven thousand, nine hundred seventy-two and 00/100 dollars*

**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.

Tami Dietz  
(Name, Title)

Construction Administrator

Tami Dietz, Construction Administrator  
(Printed Name and Title)

403 Watertown Road, Waterford, Oh. 45786  
(Address)

740-749-3459 / 740-422-1244  
(Phone Number) / (Fax Number)

tdietz@wolfcreekcontractors.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.

Wolf Creek Contracting Company, LLC  
(Company)

[Signature]

Senior Estimator

(Authorized Signature) (Representative Name, Title)

Matt Wyscarver, Senior Estimator  
(Printed Name and Title of Authorized Representative)

02/23/2021  
(Date)

740-749-3459 / 740-422-1244  
(Phone Number) (Fax Number)





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

OHIO  
~~STATE OF WEST VIRGINIA,~~

COUNTY OF WASHINGTON, TO-WIT:

I, Matt Wyscarver, after being first duly sworn, depose and state as follows:

1. I am an employee of Wolf Creek Contracting Company, LLC; and,  
(Company Name)
2. I do hereby attest that Wolf Creek Contracting Company, 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: Matt Wyscarver

Signature:

Title: Senior Estimator

Company Name: Wolf Creek Contracting Company, LLC

Date: 02/23/2021

Taken, subscribed and sworn to before me this 23<sup>rd</sup> day of February, 2021.

By Commission expires October 22<sup>nd</sup>, 2024

(Seal)

(Notary Public)



**Tabitha Zimmer**  
Notary Public, State of Ohio  
My Commission Expires  
October 22, 2024

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: Wolf Creek Contracting Company, LLC

Authorized Signature: *[Signature]* Date: 02/23/2021  
Matt Wyscarver

State of Ohio

County of Washington, to-wit:

Taken, subscribed, and sworn to before me this 23<sup>rd</sup> day of February, 2021.

My Commission expires October 22<sup>nd</sup>, 2024.



AFFIX SEAL HERE



**Tabitha Zimmer**

Notary Public, State of Ohio  
My Commission Expires  
October 22, 2024

NOTARY PUBLIC

*[Signature]*

ADDENDUM ACKNOWLEDGEMENT FORM  
SOLICITATION NO.: ARFQ DNR21\*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.

Wolf Creek Contracting Company, LLC  
Company



Authorized Signature

Matt Wyscarver

02/23/2021  
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:**

WV046042

**Classification:**

GENERAL BUILDING

WOLF CREEK CONTRACTING CO LLC  
DBA WOLF CREEK CONTRACTING  
403 WATERTOWN ROAD  
WATERFORD, OH 45786

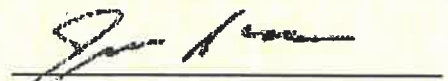
**Date Issued**

**Expiration Date**

OCTOBER 21, 2020

OCTOBER 21, 2021

  
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.

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Wolf Creek Contracting Co., LLC  
of 403 Watertown Road, Waterford, OH 45786, as Principal, and Travelers Casualty and Surety Company  
of America of 1 Tower Sq., 5PB, Hartford, CT 06183, a corporation organized and existing under the laws of the State of Connecticut with its principal office in the City of Hartford, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of Five Percent of Bid Amount (\$ 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 DNR210000040: District 2 and 3 Office 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 23rd day of February, 2021.

Principal Seal



Wolf Creek Contracting Co., LLC

(Name of Principal)

By [Signature]

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

Senior Estimator  
(Title)

Surety Seal

Travelers Casualty and Surety Company of America

(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.**





**Travelers Casualty and Surety Company of America**  
**Travelers Casualty and Surety Company**  
**St. Paul Fire and Marine Insurance Company**

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Richard L. Higginbotham, Robin Hubbard-Sherrod, Jeffery O'Dell, and Bunnie Perrine** of **Charleston, West Virginia**, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **17th** day of **January**, 2019.



State of Connecticut

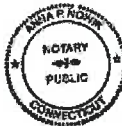
City of Hartford ss.

By:   
 Robert L. Raney, Senior Vice President

On this the **17th** day of **January**, 2019, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2021



Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 23rd day of February, 2021



Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.**  
**Please refer to the above-named Attorney-in-Fact and the details of the bond to which this Power of Attorney is attached.**

**ACTION BY UNANIMOUS WRITTEN CONSENT  
OF THE BOARD OF DIRECTORS OF  
WOLF CREEK CONTRACTING COMPANY, LLC**

Pursuant to Section 4.7 of Wolf Creek Contracting Company, LLC's Operating Agreement, the undersigned, being the sole member of the Board of Directors of **Wolf Creek Contracting Company, LLC**, an Ohio limited liability company (the "Company"), does hereby consent to and vote for adoption of the following resolutions:

**RESOLVED**, that Damian L. Lang, Douglas E. Taylor, Howard Offenberger, Matt Wyscarver, and Tami Dietz, one in place of the other, and each of them singly, acting alone, is hereby authorized, empowered and directed, for and on behalf of the Company, to negotiate, execute, acknowledge and deliver any and all documents, contracts and agreements necessary or appropriate to secure and perform projects for the Company, including forms of bids, proposals, bid bonds, contracts and agreements for the purchase and acquisition of materials, supplies, services and labor, change orders, and such other documents and undertakings as may be appropriate to bid upon, secure and perform such projects for the Company;

**RESOLVED**, that each such authorized individual, one in place of the other, and each singly hereby is authorized and directed to effect such changes, additions, deletions and modifications of such documents as such executing individual may approve, such execution to be conclusive evidence of such approval and of the authorization thereof by this board;

**RESOLVED**, that any such executing individual be, and each such individual hereby is authorized and directed to negotiate, prepare, execute, deliver, acknowledge and file such additional documents, agreements, certificates, forms, receipts and all other instruments, and to take all such other actions as such individual shall, in his or her sole discretion, approve in order to carry out such transactions and to perform and discharge the Company's obligations thereunder;

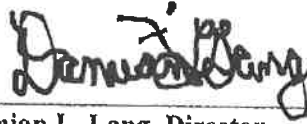
**RESOLVED FURTHER**, that any and all acts or things heretofore done to effectuate the purposes of these resolutions by any such officer are hereby ratified, confirmed and approved in all respects as the act or acts of the Company;

**RESOLVED FURTHER**, that the foregoing resolutions are in addition to and not in limitation of any other resolutions previously or hereafter delivered in connection with the authorizations conferred hereunder; and

**RESOLVED FURTHER**, that these resolutions shall take effect on the date set forth below.

**IN WITNESS WHEREOF**, the undersigned, being the sole member of the Board of Directors of **Wolf Creek Contracting Company, LLC**, an Ohio limited liability company, does hereby consent to and vote for the following actions and resolutions, to be effective as of January 1, 2019.

Dated: February <sup>02/21/2019</sup>\_\_\_\_, 2019



\_\_\_\_\_  
Damian L. Lang, Director

(462514)