



Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

**State of West Virginia
Solicitation Response**

Proc Folder:	1181504
Solicitation Description:	Addendum 2: 0423B501 SIDEWALK REPLACEMENT AT D4 HQ
Proc Type:	Agency Purchase Order

Solicitation Closes	Solicitation Response	Version
2023-03-21 14:30	SR 0803 ESR03212300000004468	1

VENDOR
VC0000022054 BENCHMARK CONSTRUCTION CO INC

Solicitation Number: ARFQ 0803 DOT2300000074
Total Bid: 96000
Response Date: 2023-03-21
Response Time: 13:30:13
Comments:

FOR INFORMATION CONTACT THE BUYER
Dusty J Smith
304-414-6859
dusty.j.smith@wv.gov

Vendor Signature X	FEIN#	DATE
-----------------------	-------	------

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	SIDEWALK CONSTRUCTION	1.00000	LS	96000.000000	96000.00

Comm Code	Manufacturer	Specification	Model #
72141105			

Commodity Line Comments:

Extended Description:

SIDEWALK CONSTRUCTION



State of West Virginia
Agency Request for Quote

Proc Folder: 1181504		Reason for Modification:	
Doc Description: Addendum 2: 0423B501 SIDEWALK REPLACEMENT AT D4 HQ		Addendum 2	
Proc Type: Agency Purchase Order			
Date Issued	Solicitation Closes	Solicitation No	Version
2023-03-16	2023-03-21 14:30	ARFQ 0803 DOT2300000074	3


BID RECEIVING LOCATION

BUDGET & PROCUREMENT
 DIVISION OF HIGHWAYS
 BLDG 5, RM A-317
 1900 KANAWHA BLVD E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Customer Code: VC0000022054
Vendor Name: Benchmark Construction Company, Inc.
Address: P.O. Box 1018
Street:
City: Hurricane
State: WV **Country:** US **Zip:** 25526
Principal Contact: Tim Spradling, VP
Vendor Contact Phone: (304) 881-1735 **Extension:**

FOR INFORMATION CONTACT THE BUYER
 Dusty J Smith
 304-414-6859
 dusty.j.smith@wv.gov

Vendor Signature X  **VP** **FEIN#** 55-061-5192 **DATE** 3-21-2023

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

ADDITIONAL INFORMATION

Addendum 2 is issued:

1. To attach the correct vendor's questions and responses

No other changes

INVOICE TO		SHIP TO	
DIVISION OF HIGHWAYS DISTRICT FOUR P O BOX 4220 CLARKSBURG WV US		DIVISION OF HIGHWAYS DISTRICT FOUR HQ 2460 MURPHYS RUN RD BRIDGEPORT WV US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	SIDEWALK CONSTRUCTION	1.00000	LS		

Comm Code	Manufacturer	Specification	Model #
72141105			

Extended Description:
SIDEWALK CONSTRUCTION

SCHEDULE OF EVENTS

<u>Line</u>	<u>Event</u>	<u>Event Date</u>
1	TECHNICAL QUESTIONS DUE BY 10 AM ET	2023-03-10
2	PRE-BID MEETING AT 11:00 AM ET	2023-03-07

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.

Tim Spradling, VP

(Printed Name and Title)

Benchmark Const Co. Inc. P.O. Box 1018 Hurricane, WV 25526

(Address)

(304) 881-1735

(Phone Number) / (Fax Number)

Tim@bmcwv.com

(E-mail 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 this bid or offer was made without prior understanding, agreement, or connection with any entity submitting a bid or offer for the same material, supplies, equipment or services; that this bid or offer is in all respects fair and without collusion or fraud; that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; 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.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law.

Benchmark Construction Company, Inc.

(Company)


(Signature of Authorized Representative)

Tim Spradling Vice President

(Printed Name and Title of Authorized Representative)

March 16, 2023

(Date)

(304) 881-1735

(Phone Number) (Fax Number)

Revised 09/12/2022

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: ARFQ DOT2300000074

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.

Benchmark Construction Company, Inc.

Company



Authorized Signature

March 21, 2023

Date

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


REQUEST FOR QUOTATION
REPLACE CONCRETE SIDEWALKS AND PADS

EXHIBIT A – Pricing Page

REPLACE CONCRETE SIDEWALKS AND PADS AT:
WVDOH – DISTRICT 4 HQ
2460 Murphys Run Rd.
Bridgeport, WV 26330

DATE: March 21, 2023

VENDOR NAME: Benchmark Construction Company, Inc.

AUTHORIZED SIGNATURE:  OP

The aforementioned, hereinafter called Vendor, 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, materials, equipment, supplies, and transportation and to perform all work in accordance with the bidding documents within the time set forth for the sum of:

BASE BID:

For the lump sum of: \$ 96,000.00
(show amount in numbers)

Ninety-Six Thousand Dollars and No Cents
(show amount in words)

(In the event of a difference between the written amount and the number amount, the written amount shall govern).

CONTRACT AWARD:

The contract shall be awarded to the vendor that provides the lowest overall lump sum cost.



State of West Virginia
PURCHASING DIVISION
Construction Bid Submission Review Form

This list has been provided for informational purposes only and is not to be construed as a complete list of request for quotation or bidding requirements for any individual construction project. This list does not and cannot include every item, mistake or oversight that could cause a contractor's bid to be disqualified. Rather, this list is intended to draw attention to some of the most common problems that the Purchasing Division encounters in the bidding process for construction projects. All potential bidders must read the request for quotation, all additional documents, and all instructions relating thereto ("Bid Documents") in their entirety to identify the actual request for quotation and bidding requirements. Failure to read the Bid Documents in their entirety and comply with the stated requirements contained therein may result in bid disqualification.

Errors That Shall Be Reason for Immediate Bid Disqualification

1. Failure to attend a mandatory pre-bid meeting
2. Failure to sign the bid
3. Failure to supply a valid bid bond or other surety approved by the state of West Virginia
4. Failure to meet any mandatory requirement of the solicitation
5. Failure to submit bid prior to the bid opening date and time
6. Federal debarment
7. State of West Virginia debarment or suspension

Errors that May Be Reason for Bid Disqualification Before Contract Award

1. Failure to acknowledge receipt of Addenda (only if stipulated as mandatory)
2. Debt to the state or political subdivision (must be cured prior to award)
3. Workers' Compensation or Unemployment Compensation delinquency (must be cured prior to award)
4. Not registered as a vendor with the state of West Virginia (must be cured prior to award)
5. Failure to obtain required bonds and/or insurance
6. Failure to provide the sub-contractor listing within one business day of bid opening or one business day of the request to do so by the Purchasing Division
7. Failure to supply West Virginia contractor's license number with bid or within one day of Purchasing Division request to do so
8. Failure to supply a signed drug-free workplace affidavit with bid or within one day of Purchasing Division request to do so
9. Failure to use the provided solicitation form (only if stipulated as mandatory)

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Benchmark Construction Company Inc.
of PO Box 1018, Hurricane WV 25526, as Principal, and Westfield Insurance Company
of 1 Park Circle, Westfield Center, OH 25030, a corporation organized and existing under the laws of the State of OH
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State
of West Virginia, as Oblige, in the penal sum of Five Percent (\$ 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
0423B501 Sidewalk replacement D4 Headquarters

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 Oblige 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 16 day of March, 2023.

Principal Seal

Benchmark Construction Company Inc.

(Name of Principal)

By [Signature]

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

Vice President

(Title)

Surety Seal

Westfield Insurance 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.**

General
Power
of Attorney

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
NEELY R. ARTHUR, JR., STACEY COLE, J. CRAIG LETT, CRAIG KRENZEL, SUZANNE M. METZ, JOINTLY OR SEVERALLY

of **WINFIELD** and State of **WV** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship**-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their **National Surety Leader** and **Senior Executive** and their corporate seals to be hereto affixed this **03rd** day of **JUNE** A.D., **2020**.

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By: **Gary W. Stumper, National Surety Leader and Senior Executive**

State of Ohio
County of Medina ss.:

On this **03rd** day of **JUNE** A.D., **2020**, before me personally came **Gary W. Stumper** to me known, who, being by me duly sworn, did depose and say, that he resides in **Hartford, CT**; that he is **National Surety Leader and Senior Executive** of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument: that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, **Frank A. Carrino**, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this **16th** day of **March** A.D., **2023**.



Frank A. Carrino, Secretary



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

I, Tim Spradling, after being first duly sworn, depose and state as follows:

1. I am an employee of Benchmark Construction Co. Inc; and,
(Company Name)
2. I do hereby attest that Benchmark Construction Co. Inc
(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.

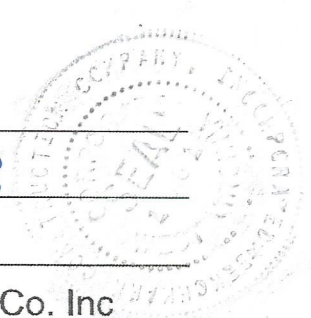
Printed Name: Tim Spradling

Signature: [Handwritten Signature]

Title: Vice President

Company Name: Benchmark Construction Co. Inc

Date: March 15, 2023



STATE OF WEST VIRGINIA,

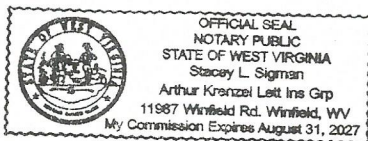
COUNTY OF Putnam, TO-WIT:

Taken, subscribed and sworn to before me this 15th day of March, 2023.

By Commission expires August 31, 2027

(Seal)

[Handwritten Signature]
(Notary Public)



CONTRACTOR LICENSE

AUTHORIZED BY THE
West Virginia Contractor
Licensing Board



NUMBER: WV000108

CLASSIFICATION:
GENERAL ENGINEERING

BENCHMARK CONSTRUCTION CO INC
DBA BENCHMARK CONSTRUCTION CO INC
PO BOX 1018
HURRICANE, WV 25526

DATE ISSUED

AUGUST 01, 2022

EXPIRATION DATE

AUGUST 01, 2023

P. Dawn Spradley

Authorized Signature

John A. ...

Chair, 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.



**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

Jimmy Wriston, P.E.

Secretary of Transportation / Commissioner of Highways

CERTIFICATE OF CONTRACTOR QUALIFICATION

This certifies that **BENCHMARK CONSTRUCTION COMPANY (CONTRACTOR)**
HURRICANE, WV

has filed with the Division of Highways (DOH) a Contractor Prequalification Application as required by the Commissioner and the DOH Standard Specifications. CONTRACTOR is qualified in the following categories of work as they correspond to the Sections in the DOH Standard Specifications: 201, 202, 203, 204, 206, 207, 211, 212, 217, 218, 219, 228, 229, 240, 307, 501, 502, 503, 506, 507, 508, 510, 511, 512, 513, 514, 601, 602, 603, 604, 605, 606, 608, 609, 610, 614, 615, 616, 617, 619, 620, 623, 624, 625, 626, 631, 633, 636, 637, 638, 639, 640, 641, 642, 645, 651, 652, 653, 654, 655, 670, 675.

This certificate remains valid until such time CONTRACTOR fails to meet the renewal requirements set forth in the Contractor Prequalification Application or when the Commissioner deems CONTRACTOR's prequalification

Issued at Charleston, West Virginia on
February 1, 2022

Director, Contract Administration Division



State of West Virginia
Agency Request for Quote

Proc Folder: 1181504		Reason for Modification:	
Doc Description: Addendum 2: 0423B501 SIDEWALK REPLACEMENT AT D4 HQ		Addendum 2	
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Date Issued	Solicitation Closes	Solicitation No	Version
2023-03-16	2023-03-21 14:30	ARFQ 0803 DOT2300000074	3


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BUDGET & PROCUREMENT
 DIVISION OF HIGHWAYS
 BLDG 5, RM A-317
 1900 KANAWHA BLVD E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Customer Code: VC0000022054
Vendor Name: Benchmark Construction Company, Inc.
Address: P.O. Box 1018
Street:
City: Hurricane
State: WV **Country:** US **Zip:** 25526
Principal Contact: Tim Spradling, VP
Vendor Contact Phone: (304) 881-1735 **Extension:**

FOR INFORMATION CONTACT THE BUYER
 Dusty J Smith
 304-414-6859
 dusty.j.smith@wv.gov

Vendor Signature X  **VP** **FEIN#** 55-061-5192 **DATE** 3-21-2023

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

ADDITIONAL INFORMATION

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- 1. To attach the correct vendor's questions and responses

No other changes

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Tim Spradling, VP

(Printed Name and Title)

Benchmark Const Co. Inc. P.O. Box 1018 Hurricane, WV 25526

(Address)

(304) 881-1735

(Phone Number) / (Fax Number)

Tim@bmcwv.com

(E-mail 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 this bid or offer was made without prior understanding, agreement, or connection with any entity submitting a bid or offer for the same material, supplies, equipment or services; that this bid or offer is in all respects fair and without collusion or fraud; that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; 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.

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Benchmark Construction Company, Inc.

(Company)


(Signature of Authorized Representative)

Tim Spradling Vice President

(Printed Name and Title of Authorized Representative)

March 16, 2023

(Date)

(304) 881-1735

(Phone Number) (Fax Number)

Revised 09/12/2022

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Authorized Signature

March 21, 2023

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REPLACE CONCRETE SIDEWALKS AND PADS

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VENDOR NAME: Benchmark Construction Company, Inc.

AUTHORIZED SIGNATURE:  OP

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Ninety-Six Thousand Dollars and No Cents
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PURCHASING DIVISION
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9. Failure to use the provided solicitation form (only if stipulated as mandatory)

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Benchmark Construction Company Inc.
of PO Box 1018, Hurricane WV 25526, as Principal, and Westfield Insurance Company
of 1 Park Circle, Westfield Center, OH 25030, a corporation organized and existing under the laws of the State of OH
with its principal office in the City of Westfield Center, as Surety, are held and firmly bound unto the State
of West Virginia, as Oblige, in the penal sum of Five Percent (\$ 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
0423B501 Sidewalk replacement D4 Headquarters

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 Oblige 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 16 day of March, 2023.

Principal Seal

Benchmark Construction Company Inc.

(Name of Principal)

By [Signature]

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

Vice President

(Title)

Surety Seal

Westfield Insurance 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.**

General
Power
of Attorney

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
NEELY R. ARTHUR, JR., STACEY COLE, J. CRAIG LETT, CRAIG KRENZEL, SUZANNE M. METZ, JOINTLY OR SEVERALLY

of **WINFIELD** and State of **WV** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship**-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their **National Surety Leader** and **Senior Executive** and their corporate seals to be hereto affixed this **03rd** day of **JUNE** A.D., **2020**.

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By: **Gary W. Stumper, National Surety Leader and Senior Executive**

State of Ohio
County of Medina ss.:

On this **03rd** day of **JUNE** A.D., **2020**, before me personally came **Gary W. Stumper** to me known, who, being by me duly sworn, did depose and say, that he resides in **Hartford, CT**; that he is **National Surety Leader and Senior Executive** of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument: that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, **Frank A. Carrino**, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this **16th** day of **March** A.D., **2023**.



Frank A. Carrino, Secretary



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

I, Tim Spradling, after being first duly sworn, depose and state as follows:

- I am an employee of Benchmark Construction Co. Inc; and,
(Company Name)
- I do hereby attest that Benchmark Construction Co. Inc
(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.

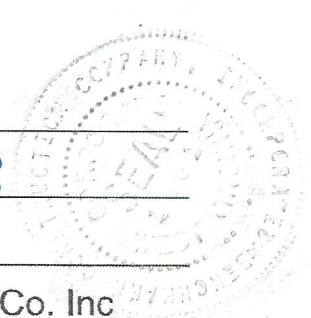
Printed Name: Tim Spradling

Signature: [Handwritten Signature]

Title: Vice President

Company Name: Benchmark Construction Co. Inc

Date: March 15, 2023



STATE OF WEST VIRGINIA,

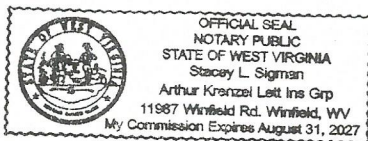
COUNTY OF Putnam, TO-WIT:

Taken, subscribed and sworn to before me this 15th day of March, 2023.

By Commission expires August 31, 2027

(Seal)

[Handwritten Signature]
(Notary Public)



CONTRACTOR LICENSE

AUTHORIZED BY THE
West Virginia Contractor
Licensing Board



NUMBER: WV000108

CLASSIFICATION:
GENERAL ENGINEERING

BENCHMARK CONSTRUCTION CO INC
DBA BENCHMARK CONSTRUCTION CO INC
PO BOX 1018
HURRICANE, WV 25526

DATE ISSUED

AUGUST 01, 2022

EXPIRATION DATE

AUGUST 01, 2023

P. Dawn Spradley

Authorized Signature

John A. ...

Chair, 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.



**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

Jimmy Wriston, P.E.

Secretary of Transportation / Commissioner of Highways

CERTIFICATE OF CONTRACTOR QUALIFICATION

This certifies that **BENCHMARK CONSTRUCTION COMPANY (CONTRACTOR)**
HURRICANE, WV

has filed with the Division of Highways (DOH) a Contractor Prequalification Application as required by the Commissioner and the DOH Standard Specifications. CONTRACTOR is qualified in the following categories of work as they correspond to the Sections in the DOH Standard Specifications: 201, 202, 203, 204, 206, 207, 211, 212, 217, 218, 219, 228, 229, 240, 307, 501, 502, 503, 506, 507, 508, 510, 511, 512, 513, 514, 601, 602, 603, 604, 605, 606, 608, 609, 610, 614, 615, 616, 617, 619, 620, 623, 624, 625, 626, 631, 633, 636, 637, 638, 639, 640, 641, 642, 645, 651, 652, 653, 654, 655, 670, 675.

This certificate remains valid until such time CONTRACTOR fails to meet the renewal requirements set forth in the Contractor Prequalification Application or when the Commissioner deems CONTRACTOR's prequalification

Issued at Charleston, West Virginia on
February 1, 2022

Shirley A. Suter

Director, Contract Administration Division