



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

**State of West Virginia  
 Solicitation Response**

**Proc Folder :** 628124

**Solicitation Description :** Addendum #1 Clay County Onsite Sewer Treatment System

**Proc Type :** Agency Purchase Order

Date issued	Solicitation Closes	Solicitation Response	Version
	2019-10-09 14:30:00	SR 0803 ESR10081900000002276	1

<b>VENDOR</b>
VS0000013210 MORTON EXCAVATING LLC SHANE J MORTON

**Solicitation Number:** ARFQ 0803 DOT2000000005

**Total Bid :** \$31,050.00      **Response Date:** 2019-10-08      **Response Time:** 20:46:50

**Comments:**

**FOR INFORMATION CONTACT THE BUYER**  
 Angela D Johnson  
 (304) 558-9398  
 angela.d.johnson@wv.gov

<b>Signature on File</b>	<b>FEIN #</b>	<b>DATE</b>
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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	Onsite Sewage Treatment System	1.00000	EA	\$19,750.000000	\$19,750.00

Comm Code	Manufacturer	Specification	Model #
47101531			

**Extended Description :** Labor and Materials Necessary to Install Onsite Category C Sewage Treatment System that Uses Ultra Violet Light Treatment and a Media Filter.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Pump and Collapse Exciting Tank if Necessary	1.00000	LS	\$3,100.000000	\$3,100.00

Comm Code	Manufacturer	Specification	Model #
47101531			

**Extended Description :** labor and materials necessary to pump out and collapse old tank and fill hole with acceptable material, if needed.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	System inspection and maintenance	1.00000	LS	\$4,200.000000	\$4,200.00

Comm Code	Manufacturer	Specification	Model #
47101531			

**Extended Description :** Industry Standard Scheduled inspection and Maintenance by a Certified by a Certified Class H Operator for the First 5 Years After Installation to Ensure Proper Function.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
5	Industry standard parts and labor warranty.	1.00000	LS	\$2,000.000000	\$2,000.00

Comm Code	Manufacturer	Specification	Model #
84101503			

**Extended Description :** Industry standard 1-year parts and labor on septic treatment system.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
6	Removal and disposal of any unused material.	1.00000	LS	\$2,000.000000	\$2,000.00

Comm Code	Manufacturer	Specification	Model #
47101531			

<b>Extended Description :</b>	Removal and disposal of any unused materials.
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**WEST VIRGINIA  
STATE TAX DEPARTMENT  
BUSINESS REGISTRATION  
CERTIFICATE**

ISSUED TO:  
**MORTON EXCAVATING LLC  
264 JESSE REEDY RD  
BICKMORE, WV 25019-9666**

**BUSINESS REGISTRATION ACCOUNT NUMBER: 2285-0729**

This certificate is issued on: **04/24/2013**

*This certificate is issued by  
the West Virginia State Tax Commissioner  
in accordance with Chapter 11, Article 12, of the West Virginia Code*

*The person or organization identified on this certificate is registered  
to conduct business in the State of West Virginia at the location above.*

**This certificate is not transferrable and must be displayed at the location for which issued.**

**This certificate shall be permanent until cessation of the business for which the certificate of registration was granted or until it is suspended, revoked or cancelled by the Tax Commissioner.**

**Change in name or change of location shall be considered a cessation of the business and a new certificate shall be required.**

**TRAVELING/STREET VENDORS: Must carry a copy of this certificate in every vehicle operated by them.  
CONTRACTORS, DRILLING OPERATORS, TIMBER/LOGGING OPERATIONS: Must have a copy of  
this certificate displayed at every job site within West Virginia.**

# CONTRACTOR LICENSE

Authorized by the

**West Virginia Contractor Licensing Board**

**Number:** WV051841

**Classification:**

SEPTIC & SEWER SYSTEMS  
LANDCLEARING  
FINISHED CARPENTRY

MORTON EXCAVATING LLC  
DBA MORTON EXCAVATING LLC  
264 JESSE REEDY RD  
BRICKMORE, WV 25019

**Date Issued**

**Expiration Date**

FEBRUARY 13, 2019

FEBRUARY 13, 2020

Authorized Company Signature

*Gene Thayer*  
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.

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STATE TAX DEPARTMENT  
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this certificate displayed at every job site within West Virginia.**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/08/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b>  The Bennett Agency 118 N Charles Street Charles Town, WV 25414	<b>CONTACT NAME:</b> Amanda Friend <b>PHONE (A/C, No, Ext):</b> 304-726-6090 <b>E-MAIL ADDRESS:</b> Amanda@TheBennettAgency.com	<b>FAX (A/C, No):</b> 304-728-6645
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b>  Morton Excavating LLC 264 Jesse Reedy Road Bickmore, WV 25019-9666	<b>INSURER A:</b> Farm Family Casualty Insurance Company	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	


**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDC SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
X	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		4701X1008	07/01/2019	07/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER**                      **CANCELLATION**

*Proof of Insurance*	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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# Offices of the Insurance Commissioner



Allan L. McVey  
Insurance Commissioner

June 27, 2018

Morton Excavating, LLC  
264 Jesse Reedy Road  
Bickmore, WV 25019

RE: Exempt ID: WCEX22229

Dear *Employer*:

Your request for an extension/renewal of the opinion as to your exempt status the requirement to maintain West Virginia Workers' Compensation insurance has been received and processed. According to the information provided in your application, you have no employees who are required under West Virginia law to be provided West Virginia workers' compensation coverage. Therefore, the OIC is of the opinion, based on the information provided, that you are exempt from having to maintain West Virginia workers' compensation coverage. **Exemption is to only include excavation duties not including logging operations.**

This exemption opinion extension/renewal is valid until **June 13, 2019**, or until circumstances change which require you to maintain workers' compensation coverage, such as acquiring employees or a business re-organization. Hiring even one (1) employee not falling within the scope of this exemption would require you to obtain coverage. If such changes occur, you must either submit another request for exemption or obtain workers' compensation coverage. Failure to obtain the mandatory coverage can result in severe penalties such as an administrative fine up to \$10,000, financial responsibility for benefits paid from the uninsured fund for any accidents and losses during periods when you are not insured, and placement on the Employer Violator System, which can result in revocation of your business license and any other licenses, permits or certificates required to do business in West Virginia. Further, be reminded that in accordance with W.Va. Code §61-3-24e(5), it is a felony to knowingly and willingly make false statements respecting any information required to be provided under the WV Workers' Compensation Act. Upon conviction, the individual shall be confined in a penitentiary for up to three years, fined up to \$10,000, or both.

***Please be advised that this exemption extension/renewal is advisory in nature and does not constitute any formal adjudication or legal conclusion as to the workers' compensation status of your company. It is based solely on the information you provided to us in your application. If the information provided in the application is incorrect, unclear or ambiguous, then this exemption may also be erroneous. It is important for anyone relying on this exemption to be aware of this. Additionally, this letter does not serve in lieu of a certificate of coverage in order to allow a prime contractor to avoid liability for employees of subcontractors under W.Va. Code §23-2-1d.***

Should you find that you are in need of workers' compensation coverage, you may apply for coverage from one of the approved carriers of workers' compensation. A list of these carriers can be found on our website at [www.wvinsurance.gov](http://www.wvinsurance.gov) underneath the box entitled Workers Compensation found in the center of the page. If you are unable to access the website for a list of these carriers, please feel free to contact our offices at (304) 558-6279, ext 1229.

Sincerely,

Jannell Cochran  
Employer Coverage  
Office of the West Virginia Insurance Commissioner





October 8, 2019

WV Division of Highways  
Finance & Administration  
Bldg. 5, RM A-220  
1900 Kanawha Blvd E.  
Charleston, WV 25302

Subject: Irrevocable Letter of Credit No. 222

To Whom It May Concern:

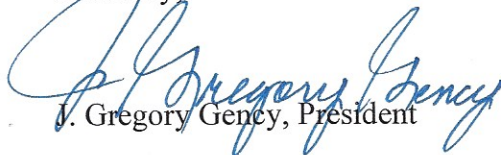
We hereby authorize you or your representatives to draw on the Clay County Bank, P.O. Box 239, Clay, WV 25043, at sight for any sum or sums not exceeding in total \$31,050.00 for the account of Morton Excavating, LLC.

Drafts when presented for negotiation must be accompanied by your written statement certifying that Morton Excavating, LLC failed to perform in accordance with the Contract for the CLAY COUNTY ONSITE SEWER TREATMENT SYSTEM/011903539 by and between WV Division of Highways and Morton Excavation, LLC. This Performance Bond is for the Bid/Contract on the Clay County Onsite Sewer Treatment System/011903539 and Solicitation No.: ARFQ-DOT20000000005.

All drafts must be drawn on or before October 8, 2020. Each draft must bear upon its face the phrase, "Drawn under Letter of Credit No. 222 dated October 8, 2019, of Clay County Bank, Clay, WV." This letter of credit made payable to the WV Division of Highways, will expire on October 8, 2020.

We hereby agree with the drawer, endorsers, and bona fide holders of the credit that said bill will be duly honored on presentation at the count of the above mentioned drawee bank.

Sincerely,

A handwritten signature in blue ink that reads "J. Gregory Gency". Below the signature, the name "J. Gregory Gency, President" is printed in a small, black, sans-serif font.

J. Gregory Gency, President



WV Division of Highways  
Finance & Administration  
Bldg. 5, RM A-220  
1900 Kanawha Blvd E.  
Charleston, WV 25302

Subject: Irrevocable Letter of Credit No. 223

To Whom It May Concern:

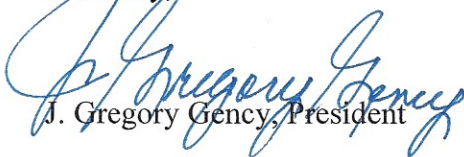
We hereby authorize you or your representatives to draw on the Clay County Bank, P.O. Box 239, Clay, WV 25043, at sight for any sum or sums not exceeding in total \$31,050.00 for the account of Morton Excavating, LLC.

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All drafts must be drawn on or before October 8, 2020. Each draft must bear upon its face the phrase, "Drawn under Letter of Credit No. 223 dated October 8, 2019, of Clay County Bank, Clay, WV." This letter of credit made payable to the WV Division of Highways, will expire on October 8, 2020.

We hereby agree with the drawer, endorsers, and bona fide holders of the credit that said bill will be duly honored on presentation at the count of the above mentioned drawee bank.

Sincerely,

A handwritten signature in blue ink that reads "J. Gregory Gency". Below the signature, the name "J. Gregory Gency, President" is printed in a small, black, sans-serif font.



Welcome, Shane

[View Frequently](#)

## Business Types

Here is the current list of business types associated with your organization. You can add new business types by clicking the "Add Items" button. To modify Business Type information click the "View/Update" link under the Existing Business Types Assignments section next to the record you wish to update. To delete a business type, click the "Delete" link next to the record in the grid that you wish to delete.

Any request to add a new Business Type that is awaiting approval can be viewed by clicking the 'View Pending Additions' button. Any request to update an existing Business Type that is awaiting approval can be viewed by clicking the 'View Pending Changes' button.

West Virginia Code §5A-3-59 establishes a procurement certification program in West Virginia for small, women-, and minority-owned businesses. Requirements related to the certification program are provided in West Virginia Code of State Rules &148-2-1 et seq. Note that this certification program provides nonresident vendors preference that is equivalent to competing resident (West Virginia) vendors that have applied for resident vendor preference, in accordance with West Virginia Code §5A-3-37. This certification may assist resident small, women-, and minority-owned businesses when soliciting business in other states.

To apply for the certification, click Add Items and select Business Type ID of "SWAM".

### Existing Business Types

Business Type ID	Business Type	SWAM Type	Certification No	Certification Start Date	Certification End Date	Pending Changes
WMNO	Women-Owned Business			05/21/2018	05/21/2020	<a href="#">View/Update</a> <a href="#">View Pendi</a>

[Add Items](#)

[View Pending Additions](#)

STATE OF WEST VIRGINIA

Offices of the Insurance Commissioner



Allan L. McVey  
Insurance Commissioner

June 27, 2018

Morton Excavating, LLC  
264 Jesse Reedy Road  
Bickmore, WV 25019

RE: Exempt ID: WCEX22229

Dear Employer:

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This exemption opinion extension/renewal is valid until **June 13, 2019**, or until circumstances change which require you to maintain workers' compensation coverage, such as acquiring employees or a business re-organization. Hiring even one (1) employee not falling within the scope of this exemption would require you to obtain coverage. If such changes occur, you must either submit another request for exemption or obtain workers' compensation coverage. Failure to obtain the mandatory coverage can result in severe penalties such as an administrative fine up to \$10,000, financial responsibility for benefits paid from the uninsured fund for any accidents and losses during periods when you are not insured, and placement on the Employer Violator System, which can result in revocation of your business license and any other licenses, permits or certificates required to do business in West Virginia. Further, be reminded that in accordance with W.Va. Code §61-3-24e(5), it is a felony to knowingly and willingly make false statements respecting any information required to be provided under the WV Workers' Compensation Act. Upon conviction, the individual shall be confined in a penitentiary for up to three years, fined up to \$10,000, or both.

***Please be advised that this exemption extension/renewal is advisory in nature and does not constitute any formal adjudication or legal conclusion as to the workers' compensation status of your company. It is based solely on the information you provided to us in your application. If the information provided in the application is incorrect, unclear or ambiguous, then this exemption may also be erroneous. It is important for anyone relying on this exemption to be aware of this. Additionally, this letter does not serve in lieu of a certificate of coverage in order to allow a prime contractor to avoid liability for employees of subcontractors under W.Va. Code §23-2-1d.***

Should you find that you are in need of workers' compensation coverage, you may apply for coverage from one of the approved carriers of workers' compensation. A list of these carriers can be found on our website at [www.wvinsurance.gov](http://www.wvinsurance.gov) underneath the box entitled Workers Compensation found in the center of the page. If you are unable to access the website for a list of these carriers, please feel free to contact our offices at (304) 558-6279, ext 1229.

Sincerely,

Jannell Cochran  
Employer Coverage  
Office of the West Virginia Insurance Commissioner

