



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

**Solicitation**

NUMBER
DEP15988

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
GUY NISBET 304-558-8802

VENDOR

REC COPY

Laurita, Inc.  
 302 Dents Run Road  
 Morgantown, WV 26501

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 OFFICE OF AML&R  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-0499

WV001135

DATE PRINTED
08/27/2012
BID OPENING DATE:
10/11/2012

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		<del>1,429,198.71</del> 1,429,198.71 Am
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES  REQUEST FOR SOLICITATION  THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 31.5-ACRE ABANDONED MINE PROJECT KNOWN AS THE "LAUREL RUN #1" PROJECT. THE SITE IS LOCATED NEAR REEDSVILLE, WEST VIRGINIA, (PRESTON CO) PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER.  DIRECTIONS TO PREBID:  TRAVEL TO REEDSVILLE, PRESTON COUNTY. AT THE 4-WAY INTERSECTION IN REEDSVILLE, TURN ONTO THE KINGWOOD PIKE CR-27, AND PROCEED WEST FOR 1.4 MILES TO THE INTERSECTION OF ZINN CHAPEL ROAD, CR-27/2, ON THE RIGHT. PROCEED NORTH FOR 0.4 MILES TO THE ENTRANCE TO THE SITE AT A METAL POST AND CHAIN GATE ON THE LEFT. THE PRE-BID CONFERENCE SITE IS LOCATED 600 STRAIGHT AHEAD IN THE EXISTING GRAVEL PARKING AREA.  CONTACT & PHONE #: GREGG SMITH, 304-457-5271						

RECEIVED  
 2012 OCT 11 PM 12:30  
 WV PURCHASING DIVISION

SIGNATURE	<i>Atula F. Mealy</i>	TELEPHONE	304-296-7531	DATE	10/11/12
TITLE	Vice President	FEIN	55-06410963	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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<p>PLANS &amp; SPECS MAY BE OBTAINED BY THE FOLLOWING METHODS:            1) BY REQUEST, ON CD FROM THE WV DEPT. OF ENVIRONMENTAL PROTECTION, OFFICE OF AML &amp; R, WITH NO CHARGE TO THE CONTRACTOR FOR THE CD OR MAILING. CALL LAWRENCE BURGESS, PH. 304-926-0499, EXT. 1668 OR 304-926-0485 TO ORDER CD.            2) PLANS AND SPECIFICATIONS WILL BE MADE AVAILABLE, ON CD, TO PRINT COMPANIES IN CHARLESTON, CLARKSBURG, AND OTHER AREAS UPON REQUEST.            *****THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL PRINTING COSTS.*****            *****            AML CONTRACTOR INFORMATION FORM OMB #1029-0119 (EXPIRATION DATE: 01/31/2013) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML CONTRACTOR. THIS IS A REQUIREMENT UNDER 30 CFR 874.16. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.GOV            *****            (1) GUARANTEE AND MAINTENANCE:                (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHED BY CUSTOM OF THE RESPECTIVE TRADES. IN THE ABSENCE OF A TRADE GUARANTEE CUSTOM OR A SPECIAL GUARANTEE PROVISION, THE WORK, BOTH AS TO THE MATERIALS AND WORKMANSHIP, SHALL UPON ACCEPTANCE OF FINAL PAYMENT BY</p>							
SIGNATURE				TELEPHONE	DATE		
<i>Arthur F. Meacham</i>				304-296-7531	10/11/12		
TITLE		FEIN		ADDRESS CHANGES TO BE NOTED ABOVE			
Vice President		55-0640963					

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<p>THE CONTRACTOR BE CONSIDERED GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FROM THE DATE OF THE ACCEPTANCE OF THE WORK. NEITHER THE FINAL ACCEPTANCE NOR THE FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIATED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE.</p> <p>(B) DURING THE ONE-YEAR GUARANTEE PERIOD, THE CONTRACTOR WILL MAINTAIN THE PROJECT TO THE CONDITIONS EXISTING AT THE DATE OF THE ACCEPTANCE OF THE WORK. ANY FAILURES DUE TO THE NEGLIGENCE OR WORKMANSHIP OF CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE.</p> <p>(C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT.</p> <p>(D) GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN.</p> <p>(2) IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL VENDOR TO:</p> <p>(A) OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE.</p> <p>(B) OBTAIN ANY AND ALL REQUIRED CONSTRUCTION PERMITS OR RELATED JOB PERMITS.</p> <p>(3) TECHNICAL SPECIFICATIONS:          ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "LAUREL RUN #1" PROJECT. SAID</p>						

SIGNATURE <i>Ateah F. Mealy</i>	TELEPHONE 304-296-7531	DATE 10/11/12
TITLE Vice President	FEIN 55-0640963	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>PLANS &amp; SPECS ARE INCORPORATED HERE IN BY REFERENCE AND ALL PROVISIONS, CLAUSES AND CONDITIONS THEREIN ARE MADE PROPERLY A PART OF THIS CONTRACT, AND CONSISTS OF 56 DRAWINGS AS PREPARED BY THRASHER ENGINEERING.</p> <p>(4) PAYMENTS AND COMPLETION:            THE CONTRACTOR SHALL FURNISH TO DEP AN APPLICATION FOR PAYMENT WITH AN ITEMIZED SCHEDULE OF VALUES AS HEREIN BEFORE REQUESTED. THE FORM INCLUDED IN THE SPECIFICATIONS SHALL BE USED FOR APPLICATIONS OF PAYMENT. IT IS THE DEP'S INTENT THAT THE PAYMENT TO THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT.</p> <p>(5) APPLICATION FOR PARTIAL PAYMENT:            THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMIT FOR PARTIAL PAYMENT BASED ON THE AMOUNT OF WORK COMPLETED AT THE TIME OF THE SUBMITTAL. THE AMOUNT OF PAYMENT WILL BE DETERMINED FROM THE ACTUAL QUANTITY OF WORK COMPLETED IF BASED UPON UNIT MEASURES OR THE PERCENT COMPLETED IF BASED UPON A LUMP SUM.</p>						
***** THIS IS THE END OF RFQ DEP15988 ***** TOTAL:						<u>14,29,198.71</u>

SIGNATURE <i>Atelo F. Meade</i>	TELEPHONE 304-296-7531	DATE 10/11/12
TITLE Vice President	FEN 55-0640963	ADDRESS CHANGES TO BE NOTED ABOVE

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1501

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 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-0499

DATE PRINTED
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09/20/2012
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BID OPENING DATE:

10/11/2012

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO.1		
				ADDENDUM FOR THE LAND RECLAMATION PROJECT "LAUREL RUN #1. ISSUED TO PUBLISH THE ATTACHED DOCUMENTATION.		
				1. QUESTIONS AND RESPONSES FROM PRE-BID MEETING.		
				2. REVISED CONTRACTOR BID SHEET		
				3. PRE-BID SIGN IN SHEET FROM: 09/14/2012		
				END OF ADDENDUM NO.1		
0001	1	JB		962-73		
				RECLAMATION RESTORATION OF LAND & OTHER PROPERTIES		
***** THIS IS THE END OF RFQ DEP15988 ***** TOTAL						\$1,429,166.71

SIGNATURE <i>Atlee F Meale</i>	TELEPHONE 304-296-7531	DATE 10-11-12
TITLE VP President	FEIN 55-0640963	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



## Laurel Run #1

DEP 15988

## REVISED Contractor's Bid Sheet

Vendors Name: Laurita, Inc.Address: 302 Dents Run Rd.  
Morgantown, WV 26501

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM NO.	Qty	Unit	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	1	LS	Mobilization and Demobilization (Limited to 10% of Total Bid)	LS	\$ 142,500.00
2.0	1	LS	Construction Layout (Limited to 5% of Total Bid)	LS	\$ 71,000.00
3.0	1	LS	Quality Control (Limited to 3% of Total Bid)	LS	\$ 42,750.00
4.1	1	LS	Site Preparation (Limited to 10% of Total Bid)	LS	\$ 142,500.00
4.2	500	TON	Access Road Rehabilitation	\$ 21.84	\$ 10,920.00
4.3	525	LF	Permanent Fencing	\$ 12.47	\$ 6,546.75
4.4	1	EA	Farm Gate	\$ 3123.53	\$ 3123.53
5.1	3,995	LF	Super Silt Fence	\$ 9.73	\$ 38,871.35
5.2	100	LF	Silt Fence	\$ 3.64	\$ 364.00
5.3	44,000	SY	Rolled Erosion Control Product	\$ 1.76	\$ 77,440.00
5.4	2	EA	Stabilized Construction Entrance	\$ 2155.85	\$ 4311.70
5.5	19	EA	Rock Check Dam	\$ 114.75	\$ 2180.25
5.6	27	LF	Riprap Channel Protection	\$ 117.53	\$ 3173.31
5.7	1	EA	Dump Rock Gutter	\$ 2083.07	\$ 2083.07
6.0	31.5	AC	Revegetation	\$ 2077.90	\$ 65,453.85
7.1	405	LF	6-Foot Riprap Channel	\$ 21.30	\$ 8,626.50
7.2	295	LF	8-Foot Vegetated Channel	\$ 10.87	\$ 3,206.65
7.3	1,970	LF	8-Foot Riprap Channel	\$ 34.20	\$ 67,374.00
7.4	890	LF	8-Foot Grouted Riprap Channel	\$ 36.27	\$ 32,280.30
7.5	1,735	LF	12-Foot Vegetated Channel	\$ 20.70	\$ 35,914.50
7.6	201	LF	24-Inch HDPE Pipe	\$ 54.49	\$ 10,952.49
7.7	40	LF	72-Inch Corrugated Steel Pipe	\$ 507.40	\$ 20,296.00
8.0	160,000	CY	Unclassified Excavation	\$ 3.47	\$ 555,200.00
9.1	7	EA	Wet/Modified Mine Seal	\$ 5279.42	\$ 36,955.94
9.2	75	BG	Soda Ash Briquettes (50 lb bag)	\$ 57.94	\$ 4,345.50
9.3	953	LF	SDR 35 12-Inch Conveyance Pipe	\$ 32.84	\$ 31,296.52
9.4	112	LF	A-2000 12-Inch Conveyance Pipe	\$ 36.00	\$ 4,032.00
10.1	50	LF	Seep Collector	\$ 50.47	\$ 2,523.50
10.2	25	LF	8-Inch Conveyance Pipe	\$ 119.08	\$ 2,977.00
TOTAL one million four hundred twenty nine thousand one hundred ninety eight dollars and seventy one cents					\$1,429,198.71

ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

1. **CONTRACTOR'S LICENSE:** West Virginia 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.

West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Laurita, Inc  
 Contractor's License No. WV0001135

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a purchase order/contract.

2. **DRUG-FREE WORKPLACE:** 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 at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit, or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid.
3. **AIA DOCUMENTS:** All construction contracts will be governed by the AIA A101-2007 and A201-2007 documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein.
4. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$500,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects.

c. **Required Information.** The subcontractor list shall contain the following information:

- i. Bidder's name
- ii. Name of each subcontractor

OMB #1029-0119  
Expiration Date: 1/31/13

### AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

#### Part A: General Information

Business Name: Laurita, Inc. Tax Payer ID No.: 55-0640963  
Address: 302 Dents Run Rd  
City: Morgantown State: WV Zip Code: 26501 Phone: 304-296-7531  
Fax No.: 304-292-4606 E-mail address: ott@laurita.com

#### Part B: Legal Structure

Corporation    ( ) Sole Proprietorship    ( ) Partnership    ( ) LLC  
( ) Other (please specify) \_\_\_\_\_

**Part C: Certifying and updating information in the Applicant/Violator System (AVS).**  
Select only one of the following options, follow the instructions for that option, and sign below.

I, Atelio F. Meale, have the express authority to certify that:  
(print name)

1.  Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you **must** attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
2. \_\_\_\_\_ Part of the information on the attached Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you **must** attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
3. \_\_\_\_\_ Our business currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

10-11-12                      Atelio F. Meale                      Vice President  
Date                                      Signature                                      Title

**IMPORTANT!** In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at <https://avss.osmre.gov>.





## AVS OFT Report - 11/8/2011 2:11:28 PM

All OFT's where the selected entity is listed as an entity or related entity

### Entity Selected (139787) Laurita Excavating Inc

#### Parent Entity

(139787) Laurita Excavating Inc  
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(139787) Laurita Excavating Inc  
(139787) Laurita Excavating Inc  
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(139787) Laurita Excavating Inc  
(139787) Laurita Excavating Inc

Description	Related Entity	% Ownership	Begin Date	End Date
Secretary	(108024) Toni D Dering		4/26/1984	
Treasurer	(108024) Toni D Dering		4/26/1984	
Executive Vice President	(108024) Toni D Dering		1/1/2008	
Owner	(106003) Thomas A Laurita	100%	4/26/1984	
President	(106003) Thomas A Laurita		4/26/1984	
Vice President	(248946) Atelio Meale		1/1/2008	
Vice President	(108024) Toni D Dering		1/1/1998	1/1/2008

RFQ No. DEP15988

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: 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 the debt owed is an amount greater than one thousand dollars in the aggregate.

**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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "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.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: Laurita, Inc.

Authorized Signature: Attila F. Neal Date: 10-11-12

State of West Virginia

County of Monongalia, to-wit:

Taken, subscribed, and sworn to before me this 11 day of October, 2012.

My Commission expires February 15, 2015, 20    .

AFFIX SEAL HERE

NOTARY PUBLIC Brandi S. Gibson





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

STATE OF West Virginia

COUNTY OF Monongalia, TO-WIT:

I, Atelio F Meale, after being first duly sworn, depose and state as follows:

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

maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.

The above statements are sworn to under the penalty of perjury.

Laurita, Inc.

(Company Name)

By: Atelio F Meale

Title: Vice President

Date: 10/11/2012

Taken, subscribed and sworn to before me this 11 day of October.

By Commission expires February 15, 2015



Brandi S Gibson (Notary Public)

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Laurita, Inc.  
(Company)

Atelia F. Meale Vice President ATELIA F. MEALE  
(Representative Name, Title)

(304) 288 296-7531  
(Contact Phone/Fax Number)

10-11-12  
(Date)

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.:** DEP15988

**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 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.

Laurita, Inc  
Company

Atebe F. Mensah  
Authorized Signature

10-11-12  
Date

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



**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Laurita, Inc.  
of Morgantown, WV, as Principal, and Fidelity and Deposit Company of Maryland  
of Schaumburg, IL, a corporation organized and existing under the laws of the State of  
MD with its principal office in the City of MD, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5%) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
RFQ # DEP15988 - Reclamation: Restoration of Land & Other Properties - project known as "Laurel Run #1", located  
near Reedsville, WV

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.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations  
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this  
11th day of October, 2012.

Principal Corporate Seal

Laurita, Inc.  
(Name of Principal)  
By Atela F Mealy  
(Must be President or  
Vice President)  
Vice President  
(Title)

Surety Corporate Seal



Fidelity and Deposit Company of Maryland  
(Name of Surety)  
By Denise Deem  
Attorney-in-Fact  
(DeniseDeem)

**IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals  
must be affixed, a power of attorney must be attached.**

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by WILLIAM J. MILLS, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Kenneth J. JUSKOWICK, Ann VOZNAK, L. Randall COBER, Dolores Jane MARTIN, Linda ZANNIER, Denise DEEM and Allison L. HENNESSEY, all of Morgantown, West Virginia, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds of undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Kenneth J. JUSKOWICK, Ann VOZNAK, L. Randall COBER, Dolores Jane MARTIN, Betty L. HAUGHT, Linda ZANNIER, Denise DEEM, Randy TALERICO, Allison L. HENNESSEY, dated April 4, 2008.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 11th day of August, A.D. 2008.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gregory E. Murray*

*William J. Mills*

By:

*Gregory E. Murray* Assistant Secretary

*William J. Mills*

Vice President

State of Maryland }  
City of Baltimore } ss:

On this 11th day of August, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came WILLIAM J. MILLS, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

Constance A. Dunn

Notary Public

My Commission Expires: July 14, 2011

## EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

### CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 11th day of October, 2012.



Assistant Secretary

# CONTRACTOR LICENSE

Authorized by the

## West Virginia Contractor Licensing Board

**Number:** WV001135

**Classification:**

GENERAL BUILDING  
GENERAL ENGINEERING  
MULTIFAMILY  
RESIDENTIAL  
SPECIALTY  
EXCAVATION

LAURITA EXCAVATING INC  
DBA LAURITA INC  
302 DENTS RUN ROAD  
MORGANTOWN, WV 26507

**Date Issued**

**Expiration Date**

AUGUST 13, 2012

AUGUST 13, 2013



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.