

DOOCE

TITLE

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

Solicitation

NUMBER DEP16389 PAGE :

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 304-558-2316

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R

CHARLESTON, WV

25304 304-926-0499

ADDRESS CHANGES TO BE NOTED ABOVE

RFQ COPY
TYPE NAME/ADDRESS HERE

Mountainer Infrestructure
2376 Laneville Rol

Dry Fork, WV 26263

DATE PRINTED 09/30/2013 BID OPENING TIME 1:30PM 11/21/2013 BID OPENING DATE: CAT. UNITPRICE AMOUNT . ITEM NUMBER LINE QUANTITY. 962-73 JB 0001 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES 01:18:42PM West Virginia Purchasing Division 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 2.9-AC ABANDONED MINE PROJECT KNOWN AS THE "BRETZ (METHAMY) MINE DRAINAGE" PROJECT. THE SITE IS LOCATED AT BRETZ, WEST VIRGINIA, PRESTON CO. A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD. PREBID WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND / OR DURING INCLEMENT WEATHER. THE PRE-BID MEETING DESCRIBED IN THIS SOLICITATION WILL INCLUDE A SITE VISIT OF RESTRICTED ACCESS AREAS. DUE TO THE ACCESS LIMITATIONS, ALL VENDORS MUST BE PRESENT AT THE PRE-BID MEETING AT THE TIME THE SITE VISIT OF THE RESTRICTED ACCESS AREA COMMENCES. VENDOR NOT PRESENT AT THE PRE-BID MEETING WHEN THE SITE VISIT OF THE RESTRICTED ACCESS AREA BEGINS WILL BE DEEMED TO HAVE MISSED THE PRE-BID MEETING. DIRECTIONS TO PREBID: FROM PHILIPPI, TRAVEL SOUTH ON US RT. 250 TO ST. RT. 38 AND PROCEED TO ST! RT. 92. PROCEED ON ST. RT. 92 TO THE INTERSECTION OF RT 92 AND ST. RT. 7 AND CONTINUE SIGNATURE 866 - 4953

45-5372829



RFQ COPY

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2019 Washington Street East
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NUMBER DEP16389 PAGE 2

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

ENVIRONMENTAL PROTECTION

S DEPARTMENT OF

601 57TH STREET SE

CHARLESTON, WV

25304 304-926-0499

TYPE NAME/ADDRESS HERE

TITLE

09/30/2013

TORREST THEN TURN LEFT ON GULIANA ROAD (CR 7/23) TRAVEL 0.5 MILE, THEN TURN LEFT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RIGHT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RIGHT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RIGHT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RIGHT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RIGHT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RIGHT ONTO A STONE BASED ROAD AND TRAVEL 0.1 MILE TO SITE ON LEFT. CONTACT & PHONE # MIKE CUTRIGHT, 304-842-1900 PLANS & SPECS MAY BE OFTAINED BY THE FOLLOWING METHODS: 1) BY REQUEST, ON CD FROM THE WV DEPT. OF ENVIRONMENTAL PROTECTION, OFFICE OF AML & R, WITH NO CONTRACTOR FOR THE CD OR MAILING. CALL 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 (EXPERATION 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 ORB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 600-643-9748 OR WWW.AVS.OSMRE.GOV ***********************************	09/30/2		1/21/20)13			BID O	PENING	TIME	1:3	OPM
TRAVEL 0.5 MILE, THEN TURN LEFT ONTO MCKINNEY CAVE RD. CR 7/2 FOR 0.4 MILES. TURN RICHT ONTO MILLER MINE ROAD (CR 7/29) FOR 0.4 MILE, THEN TURN RIGHT ONTO A STONE BASED ROAD AND TRAVEL 0.1 MILE TO SITE ON LEFT. CONTACT & PHONE # MIKE CUTRIGHT, 304-842-1900 PLANS & SPECS MAY BE OBTAINED BY THE FOLLOWING METHODS: 1) BY REQUEST, ON CD FROM THE WU DEPT. OF ENVIRONMENTAL PROTECTION, OFFICE OF AML & R, WITH NO CONTRACTOR FOR THE CD OR MALLING. CALL LAWRENCE BURGESS, PH. 304-926-0499, EXT. 1668 OF 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 HIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.GOV	LINE	QUAN	ΥΠΤ	UOP		ITEM NUM	BER	U	IT PRICE		AMOUNT
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PAGE 3

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HRANK WHITTAKER 04-558-2316

ENVIRONMENTAL PROTECTION

DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE

CHARLESTON, WV

25304 304-926-0499

ADDRESS CHANGES TO BE NOTED ABOVE

POUZDOE

RFQ COPY

DATE PRINTED 09/30/2013

TYPE NAME/ADDRESS HERE

BID OPENING DATE:	1/21/2	2013	BID	PENING TIME	1:30PM
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Solicitation

NUMBER DEP16389

PAGE 4

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

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

TYPE NAME/ADDRESS HERE MODERA

RFQ COPY

DATE PRINTED 09/30/2013

BID OPE	NING DATE:	11/21/	2013			BID C	PENIN	IG TIME	1:3	3 O P M
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SIGNATO	MA	Evans				TELEPHONE 30	1 866	-4953	11	12//13
TITLE	12-1-1		FEIN US-	52728	929			ADDRESS CH	ANGES	S TO BE NOTED ABOVE

ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

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: Mountaineer Infrastructure

Contractor's License No. WV 05 13 5 4

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 AFFIDAVIT: W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit 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.

2.1 DRUG-FREE WORKPLACE POLICY: Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article.

The awarding public authority may cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

3. DRUG FREE WORKPLACE REPORT: Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

Revised 08/21/2013

DEP16389 Contractor's Bid Sheet - Addendum #1

Company	Name: 1	Dountaineer	Infrastruct	ure
		Laneville		
	Dry For	-K, WV	26263	

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

1TEM			DESCRIPTION	UN	IIT PRICE		AMOUNT
NO.	Qty	Unit	DESCRIPTION			2805	
		Tier of			LS	\$	19,800-
1.0	1	Ī.Ş	Mobilization and Demobilization (Limited to 10% of Total Bid)	+	LS	8	11,500-
2.0	1	LS	Construction Layout (Limited to 5% of Total Bid)	-	LS	S	7,500
3.0	1	LS	Quality Control (Limited to 3% of Total Bid)	-	LS		19,800-
4.0	1	LS	Site Preparation (Limited to 10% of Total Bid)	\$	25	\$	8250-
4.1	330	TN	Gravel Drive Rehabilitation (1.5" Crusher Run)	\$	25-	\$	1,250
4.2	50	TN	Access Road Stone (1.5" Crusher Run)	\$	2-	\$	3,400
5.0	1,700	LF	Silt Fence Sediment Control	THE RESERVE OF THE PERSON NAMED IN	0.10	10	190 50
5.1	1,905	_	12" Straw Wartles Erosion Control	8		6	750
5.2	25	-	Stone Construction Entrance (70' x 12' Width)	\$	30-	\$	27,550
5.0	2.9		Revegetztion	\$		\$	1 500
7.0	2	_	Type "A" Manhole	\$	Y	4	6,500
7.1	1	EA	Type "G" Drop Inlet	\$	4)/4	S	2,500
7.2	3		Splash Pad	\$	250	\$	750
73	210	_	15" HDPE Pipe	\$	45-	15	9,450
7.4	20	-	15" HDPE Culvert Pipe	\$	48-	\$	960-
7.5	165	-	18" HOPE Culvert Pipe	3	59	\$	9,570
7.6		LF	6' Grouted Riprap Channel (Channel A, B, D, E and F)	2	82-	\$	28,700
7.7	40		14' Grouted Rigrap Channel (Channel C)	\$	160-	\$	6,400
7.8	120	Name and Address of the Owner, where	Grouted Riprap Berm (3"-6" Limestone Rock)	\$	35 -	S	4,200
7.9	405		B' Grass Lined Swale with Type I Curlex	\$	15	8	6,075
7.10		LF	Road Ditch Type I	\$	2-	\$	320
7.11		LF	Road Ditch Type II	\$	25-	\$	5,250
7.12	-	-	Sandstone Rock Buttress		LS	S	25,000
8.0	6.500	CY	Unclassified Excavation	8	4-	S	26,000
8.1		TN	Rock Backfill	\$	2650		106,000
9.1	7,000	-	Wat Modified Mine Seals	5	13,250	- 5	53,000
9.2	195	_	Mine Seal Conveyance Pipe (12" PVC SDR-35)	3	25-	3	4,875
9.3	40		Soda Ash Briquettes (50 LB Bags)	2	25-	\$	1,000
11.1		-	3' x 3' Underdrain (12" PVC SDR-35)	\$		\$	100-
11.2	_	مشرور وبالمراوي	Underdrain Conveyance Pipe (12" PVC SDR-35)	\$	1-	15	20-
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	1 10 10 10 10 10 10 10 10 10 10 10 10 10		TOTAL			S	396,660 50
			TOTAL			\$	396,66

OMB #1029-0119 Expiration Date: 1/31/16

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. When possible, please type your information onto this form to reduce errors on our end. NOTE: Signature and date this form is signed must be recent (within the last month) to be considered for a current bid

Part A: General Information

Business Name: Mountaineer Infrastructure Tax Payer ID No.: 45-5372829 Address: 2376 Lancville Rd City: Ory Fork State: WV Zip Code: 26263 Phone: 304 866-4953 Fax No.: 304 866-4329 E-mail address: Meyans 40 lycos.com
Fax No.: 304 866 - 4329 E-mail address: Meyans 40 /ycos.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, Matt Evans, have the express authority to certify that: (print name)
 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.
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 is not listed in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.
11/21/13 MA. Evant Pres. Date Signature Title
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.

Part D.

Contractor's Business Name: Mountaineer Infrastructure LLC

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- · All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- · Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name Address	Matt Evans	Position/Title Telephone #	Pus.
Begin Date:	6-11-12	% of Ownership Ending Date:	Current
Name Address Begin Date:		Position/Title Telephone # % of Ownership Ending Date:	
Name Address Begin Date:		Position/Title Telephone # % of Ownership Ending Date:	
Name Address		Position/Title Telephone # % of Ownership	
Begin Date:		Ending Date:	

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

Agency	Purchasing Division
REQ.P.	O#DEP16389

BID BOND

		SEATE Thetere	the undersigned N	lountaineer li	nfrastructure, LLC
KNOW ALT	L MEN BY THESE PRES	SUNIS, Inaiwe	ac Dr	incipal, and Li	berty Mutual Insurance Company
-	ork	144	a corneration or	nanized and ex	disting under the laws of the State of
of Bos	ton	MA	Boston	as Surety, at	re held and firmly bound unto the State 5% For the payment of which,
MAv	with its principal office in	the City of	ent of Amount Bid	(\$	5%) for the payment of which,
of Wesl Virginia, as	Obligee, in the penal su	m of Five Perc	alus aux boirs adm	inistrators, exe	
well and truly to be	made, we jointly and set	verally bind ours	elves, our news, adm	imotratore, ene	cutors, successors and assigns.
			t the Principa	l has submitted	to the Purchasing Section of the
The Condi	tion of the above obligat	ion is such that t	whereas the Principa	lo a nad heren	to the Purchasing Section of the
Department of Adm	ilnistration a certain bid	or proposal, attac	ched hereto and mad	a part nereo	f, to enter into a contract in writing for
Bretz Matheny N	Mine Drainage (AML)	Preston Count	y, WV		
		-			
	EREFORE,				
(a) If sale	d bid shall be rejected, o	f and the Principal	shall enter into a cor	ntract in accord	dance with the bid or proposal attached hall in all other respects perform the
(b) If sale	d bid shall be accepted a	nd insurance req	ulred by the bid or pr	oposal, and sh	hall in all other respects perform the hervise this obligation shall remain in ful
agreement created	by the acceptance of sa	aid bid, then this	obligation shall be no	ull and void, of	henvise this obligation shall remain in ful nd all claims hereunder shall, in no even
/ - Maat 11	LIG AVACACELY HARPESHOUL	I Allu auteco in	,	urety tor only an	nd all claims hereunder shall, in no even
exceed the penal a	amount of this obligation	ds Heleni states	•		
The Com	for the value received	i. hereby stipula	es and agrees that the	ne obligations	of said Surety and its bond shall be in no ch bid, and said Surely does hereby
way impaired or a	fected by any extension	of the time withi	n which the Obligee	may accept su	ch bid, and said Surely does hereby
waive notice of an	y such extension.				
	SOCIALIEDEDE Princis	al and Surety ha	ave hereunto set thei	r hands and se	oals, and such of them as are corporation
IN WITH	corporate seals to be af	fixed because a	nd these presents to	be signed by t	heir proper officers, this
have caused their	November	2013			
day of	November				
	S			Mountaine	er Infrastructure, LLC
Principal Corpora	te Seal				(Name of Principal)
	E. S.			au Mi	Q. Evans
372 35 元	: 2			by	(Must be President of
2015/2000 2015/2000 2015/2000 2015/2010/2010/2010/2010/2010/2010/2010/					Vice President)
				PI	resident
Jan Jana					(Title)
2	1.2.6.2.				
Surely Corporate	Seal			Liberty Mu	itual Insurance Company
indi	<u> </u>				(Name of Surety)
\$,)	1 . 0 . 1/-
				By- (m)	relex 3 Burditte
	. (3 :			(Suzie), Licensed	W Restant Agent Attorney-In-Fact
	7			[

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

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate:No. 6179567

am and 4:30 pm EST on any business day.

Power of Attorney

of this n 9:00

the valid

between

832-8240

610

00

O

American Fire and Casually Company
The Ohlo Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PR	ECENTS: The American Fin	& Cocuelty Companyand T	he Ohio Castially Inguishes Co	n viole adolescence are vineau	manized under the laws of
he State of New Hampshire, that Liberty					
s a corporation duly organized under the					
and appoint, Andrew K Teeter C	hristopher A. Michel Do	inna J. Price: Douolas F	Taylor Janis R Peacoc	k Kimberly L Miles Kiml	berly S. Burdette
Parriela V. Lanham					

all of the city of Charleston state of yvv each individually if there be more than one named, its true and lawful attorney in fact to make, execute; seal, acknowledge and deliver, for and on its behalf as surely and as its act and deed, any and all unde hakings, bonds, recognizances and other surely obligations, in pursuance of these presents and shall be as binding upon the Companies as If they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF (his Power of Affinite) has been subscribed by an authorized officer or official aithe Companies and the comparate seals of the Companies have been affixed thereto this 20th day of June 2013

American Fire and Casualty Company The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company

By: Gregory W Davenport, Assistant Secretary

STATE OF WASHINGTON ...

On this 26th day of June 2013 before me personally appeared Gregory: W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberry Musual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he as such; being authorized so to do execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF I have hereunto subscribed my hame and affixed my notarial seal at Seattle, Washington, on the day and year first above written.

By KD Riley Notes Publi

This Power of Attorney is made and executed pursuant to any by authority of the following By-laws and Authorizations of American Fire and Casualty Company. The Ohlo Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV — OFFICERS — Section 12. Power of Attorney. Any officer of other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such similation as the Chairman or the President may prescribe; shall appoint such attorneys in fact, as may be necessary to act in behalf of the Corporation to make, execute, seal acknowledge and deliver as surely any and all undertakings; bonds, recognizances and other surety obligations. Such attorneys in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary Any power or authority granted to any representative or attorney in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings: Any officer of the Company authorized for that purpose in writing by the chairman or the president and subject to such limitations as the chairman or the president may prescribe, shall appoint such attempts in-fact, as may be necessary to act in behalf of the Company to make executes and active as surety any and all undertakings; bonds recognizations and other surety obligations. Such attorneys in-fact subject to the illimitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the exerctary.

Certificate of Designation — The Presidencot the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys in fact as may be necessary to assist on behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surely obligations.

Authorization — By unanimous consent of the continency search Directors, the Company consents that facstinile of mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I. David M. Carey, the undersigned, Assistant Secretary of American Fire and Casualty Company. The Ohlo Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked:

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 21st day of November 20 13



David M. Carey Assistant Secretary

WV-73 Rev. 08/2013



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

STATE OF WEST VIRGINIA,
COUNTY OF Tucker, TO-WIT:
I, Maff Evans , after being first duly sworn, depose and state as follows:
1. I am an employee of <u>Mountainer Infrastructure, uc</u> and, (Company Name)
2. I do hereby attest that Mountainur Infrastructure, LLC (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D.
The above statements are sworn to under the penalty of perjury.
By: Matt Cvant
Title: President
Company Name: Mountaineur Infrastructure
Date: ///21//3
Taken, subscribed and sworn to before me this 21 day of November, 2013
(Seal) NOTARY PUBLIC - OFFICIAL SEAL STATE OF WEST VIRIAL SEAL Catherine L. VanDevandar P.O. Box 229, Whitmer, WV 26298 My Corrmiseion Expires August 25, 2014 (Notary Public)

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



MOUNTAINEER INFRASTRUCTURE, LLC 2376 LANEVILLE ROAD DRY FORK, WV 26263 PHONE 304-290-7000

FAX 304-866-4329

FAX

To: Fran	K Whittaker	From:	Matt Evans
Fauc 304	- 558-3970	Pages:	15
Phone:	304 558 - 231	Date:	11/21/13
Re: D	EP 16389	CC:	
☐ Urgent	☐ For Review	☐ Please Comment	☐ Please Reply
		1	

Sealed Bid Enclosed

RFQ Number: DEP 16389

Buyer: Frank Whitteker

Bid Opening Date: 11-21-13

Bid Opening Time: 1-30 P.M.

11/21/13 01:18:47PM West Virginia Purchasing Division



MOUNTAINEER INFRASTRUCTURE, LLC 2376 LANEVILLE ROAD DRY FORK, WV 26263 PHONE 304-290-7000

FAX 304-866-4329

FAX

 To:
 Frank Whittaker
 From:
 Matt Evans

 Fanc.
 304 - 558 - 3970
 Pages:
 /5

 Phone:
 304 558 - 23/L
 Date:
 /1/21//3

 Re:
 DEP /6389
 CC:

 □ Urgent
 □ For Review
 □ Please Comment
 □ Please Reply

Sealed Bid Enclosed

11/21/13 01:10:04PM West Virginia Purchasing Division

RFQ Number: DEP 16389

Buyer: Frank Whittoker

Bid Opening Date: 11-21-13

Bid Opening Time: 11-30 P.M.



RFQ COPY TYPE NAME/ADDRESS HERE Mountainer Infrastructure 2376 Laneville Rd Dry Fork, WV 26263

Solicitation

NUMBER DEP16389

PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 04-558-2316

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

DATE PRINTED 09/30/2013

BID OPENING TIME 1:30PM 11/21/2013 BID OPENING DATE: CAT. LINE ITEM NUMBER UNIT PAICE AMOUNT QUANTITY NO. 962-73 0001 ${\tt JB}$ 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES 11/21/13 01:10:10PM West Virginia Purchasing Division 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 2.9-AC ABANDONED MINE PROJECT KNOWN AS THE "BRETZ (METHANY) MINE DRAINAGE" PROJECT. THE SITE IS LOCATED AT BRETZ, WEST VIRGINIA, PRESTON CO.) A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD. PREBID WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND OR DURING INCLEMENT WEATHER. THE PRE-BID MEETING DESCRIBED IN THIS SOLICITATION WILL INCLUDE A SITE VISIT OF RESTRICTED ACCESS AREAS. DUE TO THE ACCESS LIMITATIONS, ALL VENDORS MUST BE PRESENT AT THE PRE-BID MEETING AT THE TIME THE SITE VISIT OF THE RESTRICTED ACCESS AREA COMMENCES. VENDOR NOT PRESENT AT THE PRE-BID MEETING WHEN THE SITE VISIT OF THE RESTRICTED ACCESS AREA BEGINS WILL BE DEEMED TO HAVE MISSED THE PRE-BID MEETING. DIRECTIONS TO PREBID: FROM PHILIPPI, TRAVEL \$OUTH ON US RT. 250 TO ST. RT. 38 AND PROCEED TO ST RT. 92. PROCEED ON ST. RT. 92 TO THE INTERSECTION OF RT 92 AND ST. RT. 7 AND CONTINUE TELEPHONE 304 SIGNATURE

MR. Evans TITLE

45-5372829

ADDRESS CHANGES TO BE NOTED ABOVE



Solicitation

NUMBER DEP16389

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER

04-558-2316

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

TYPE NAME/ADDRESS HERE DOOZEN

DATE PRINTED 09/30/2013

RFQ COPY

D OPENING DATE:	11/21/2	013	BID OPENING TIME 1:30PM
LINE	OUANTITY	UOP GAT	ITEM NUMBER UNIT PRICE AMOUNT
TRA (CR ROA	VEL 0.5 MI 7/2 FOR 0 D (CR 7/29	LE, THEN 7 .4 MILES.) FOR 0.4	N LEFT ON GULIANA ROAD (CR 7/23) TURN LEFT ONTO MCKINNEY CAVE RD. TURN RIGHT ONTO MILLER MINE MILE, THEN TURN RIGHT ONTO A RAVEL 0.1 MILE TO SITE ON LEFT.
сои	TACT & PHO	NE # MII	E CUTRIGHT, 304-842-1900
PROCON BUR TO 2) ON AND	BY REQUEST TECTION, C TRACTOR FC GESS, PH. ORDER CD. PLANS AND CD, TO PRI OTHER ARE	FFICE OF A THE CD (304-926-04 SPECIFICATION RI TRACTOR WI	TAINED BY THE FOLLOWING METHODS: OM THE WV DEPT. OF ENVIRONMENTAL ML & R, WITH NO CHARGE TO THE OR MAILING. CALL LAWRENCE 199, EXT. 1668 OR 304-926-0485 TIONS WILL BE MADE AVAILABLE, TES IN CHARLESTON, CLARKSBURG, EQUEST. TOURD THE FOLLOWING METHODS: OF ENVIRONMENTAL AND CHARGE TO THE OF ENVIRONMENTAL CHARGE
**	*****	****	*********
COM EVA CON IF BID	PIRATION I PLETE THIS LUATION TO TRACTOR. THE ORIGIN DING DOCUM	ORIGINAL ORIGINAL DETERMINITHIS IS A FALL ONB #10 FALL ON B #10 FALL ON	TION FORM OMB #1029-0119 1/2013) IS ATTACHED. YOU MUST FORM TO OBTAIN AN AVS DATA E YOUR ELIGIBILITY AS AN AML REQUIREMENT UNDER 30 CFR 874.16. 229-0119 IS NOT ATTACHED TO THE TAN CONTACT THE AVS OFFICE AT .OSMRE.GOV
**	******	****	******
			TENANCE:

304 866-4953 11/21/13 MR. Evans TITLE ADDRESS CHANGES TO BE NOTED ABOVE President 45-5372829



Solicitation

NUMBER DEP16389

PAGE 3

ADDRESS CORRESPONDENCE TO ATTENTION OF:

FRANK WHITTAKER 304-558-2316

ENVIRONMENTAL PROTECTION DEPARTMENT OF

601 57TH STREET SE CHARLESTON, WV

OFFICE OF AML&R

304-926-0499 25304

RFO COPY TYPE NAME/ADDRESS HERE PERCOR

DATE PRINTED 09/30/2013

BID OPENING TIME

1:30PM

11/21/2013 BID OPENING DATE: AMOUNT CAT. UNITPRICE ITEM NUMBER UOP QUANTITY LINE THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHED IN THE ABSENCE OF BY CUSTOM OF THE RESPECTIVE TRADES. A TRADE GUARANTEE CUSTOM OR A SPECIAL CUARANTEE PROVISION, THE WORK, BOTH AS TO THE MATERIALS AND WORKMANSHIP, SHALL UPON ACCEPTANCE OF FINAL PAYMENT BY THE CONTRACTOR BE CONSIDERED GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FROM THE DATE OF THE ACCEPTANCE NEITHER THE FINAL ACCEPTANCE NOR THE OF THE WORK-FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE. DURING THE ONE-YEAR GUARANTEE PERIOD, THE (B) 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 QUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE. THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE (C) CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT. GUARANTEES CONCERNING REVEGETATION MAY BE (D) TURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN. IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL ENDOR TO: OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS (A) PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE. OBTAIN ANY AND ALL REQUIRED CONSTRUCTION (B) PERMITS OR RELATED JOB PERMITS. TECHNICAL SPECIFICATIONS: SIGNATURE

866-4953 Evans ADDRESS CHANGES TO BE NOTED ABOVE 45-5372829 resident



Solicitation

NUMBER DEP16389

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

FRANK WHITTAKER 04-558-2316

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE

CHARLESTON, WV

25304 304-926-0499

MOOR

RFQ COPY

TYPE NAME/ADDRESS HERE

DATE PRINTED 09/30/2013 BID OPENING TIME 1:30PM 11/21/2013 BID OPENING DATE: AMOUNT. CAT. ... UNIT PRICE ITEM NUMBER QUANTITY COP LINE ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "BRETZ (METHANY) MINE DRAINAGE" SAID PLANS & SPEC\$ ARE INCORPORATED HERE IN BY REFERENCE AND ALL PROVISIONS, CLAUSES AND CONDITIONS THEREIN ARE MADE PROPERLY A PART OF THIS CONTRACT, AND CONSISTS OF DRAWINGS AS PREPARED IN-HOUSE BY THE WVDEP/AML. 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 \$HALL BE USED FOR APPLICATIONS IT IS THE DEP'S INTENT THAT THE PAYMENT TO OF PAYMENT. THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT. 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. THIS IS THE END OF REQ DEP16389 ***** TOTAL:

SIGNATURE TITLE

304 866 -4953

ADDRESS CHANGES TO BE NOTED ABOVE

45-5372829 WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

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: Mou	untaineer Infrastructure	•
Contractor's License No	WV 051354	

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 AFFIDAVIT: W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit 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.
 - 2.1 DRUG-FREE WORKPLACE POLICY: Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article.

The awarding public authority may cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

3. DRUG FREE WORKPLACE REPORT: Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

Revised 08/21/2013

MA KREFULDING DED SEATTORY SHOLDED THE TOTAL

DEP16389 Contractor's Bid Sheet - Addendum #1

Company	Name: 7	Mountaineer	Infrastructure	_
Address:_	2376	Laneville	Rd	~
	Dry Fo	rk WV	26263	

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

TEM	01	V F (4	DESCRIPTION	UNIT PRICE	AMOUNT
10.		Unit		TANK POLICE AND	The same of the sa
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	11.7		The local Bid	1.5	\$ 19,800-
1.0		LS	Mobilization and Demobilization (Limited to 10% of Total Bid)	LS	\$ 11,500
2.0	1	LS	Construction Layout (Limited to 5% of Total Bid)		\$ 7,500
3.0	1	LS	Quality Control (Limited to 3% of Total Bid)		\$ 19,800
4.0	1	LS	Site Preparation (Limited to 10% of Total Bid)		\$ 8250
4.1	330	TN	Gravel Drive Rehabilitation (1.5" Crusher Run)		\$ 1,250
4,2	50	_	Access Road Stone (1.5" Crusher Run)		\$ 3,400
5.0	1,700	LF	Silt Fence Sediment Control	\$ 0.10	\$ 19050
5.1	1,905	LF	12" Straw Wattles Erosion Control		\$ 750
52	25	TN	Stone Construction Entrance (70' x 12' Width)		\$ 27,550
5.0	2.9	AC	Revegetation		AND DESCRIPTION OF THE PERSON
7.0	2	EA	Type "A" Manhole		
7.1	1	EA	Type "G" Drop Inlet	\$ 2,500	\$ 2,500
7.2	3	EA	Splash Pad		\$ 750
73	210		15" HDPE Pipe	\$ 45-	\$ 9,450
7.4	20		15" HDPE Culvert Pipe	\$ 48-	\$ 960
7.5	165	-	18" HDPE Culvert Pipe	\$ 58	\$ 9,570-
7.6	350		6' Grouted Riprap Channel (Channel A, B, D, E and F)	\$ 82	\$ 28,700
7.7	40	Andrew Williams	14' Grouted Riprop Channel (Channel C)	\$ 160-	8 6,400
7.8	120		Grouted Riprap Berm (3"-6" Limestone Rock)	\$ 35	\$ 4,200
7.9	405		8' Grass Lined Swale with Type I Curlex	\$ 15	\$ 6,075
7.10	160	-	Road Ditch Type I	\$ 2-	\$ 320
7,11	210		Road Ditch Type II	\$ 25-	5 5,250
7.12	1	-	Sandstone Rock Buttress	LS	\$ 25,000
8.0	6,500	1	Unclassified Excavation	\$ 4-	\$ 26,000
8.1	4,000		Rock Beckfill	\$ 2650	\$ 106,000
9.1	4,000	100	Wet/Modified Mine Seals	\$ 13,250	
9.2	195		Mine Seal Conveyance Pipe (12" PVC SDR-35)	\$ 25	\$ 4,875
9.3	40	The Real Property lies, the Person lies,	Soda Ash Briquettes (50 LB Bags)	\$ 25	\$ 1,000-
11.1		LF	3' x 3' Underdrain (12" PVC SDR-35)	\$	S 100-
11.2		LF	Underdrain Conveyance Pipe (12" PVC SDR-35)	\$ /-	\$ 20-
11.2		120			
w 1 10 16			TOTAL		\$ 396,660=

OMB #1029-0119 Expiration Date: 1/31/16

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. When possible, please type your information onto this form to reduce errors on our end. NOTE: Signature and date this form is signed must be recent (within the last month) to be considered for a current bid

Part A: General Information
Business Name: Mountaineer Infrastructure Tax Payer ID No.: 45-5372829 Address: 2376 Laneville Rd City: Ory Fork State: WV Zip Code: 26263 Phone: 304 866-4953 Fax No.: 304 866-4329 E-mail address: Mevans 48 lycos.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, Matt Evans, have the express authority to certify that: (print name)
1Information 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 is not listed in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.
11/21/13 MA. Evant Pres. 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.

Part D.

Contractor's Business Name: Mountaineer Infrastructure LLC

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- · All Directors:
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name Mate Address Begin Date:	b-11-12	Position/Title Telephone # % of Ownership Ending Date:	100 % Cument
Name Address Begin Date:		Position/Title Telephone # % of Ownership Ending Date:	
Name Address Begin Date:		Position/Title Telephone # % of Ownership Ending Date:	
Name Address Begin Date;		Position/Title Telephone # % of Ownership Ending Date:	

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

Agency	Purchasing Division
	O#DEP16389

BID BOND

KN	IOW ALL MEN BY THESE F	PRESENTS, That we	, the undersigned, $\underline{ extstyle N}$	Mountaineer Infrastructure, L	LC
01	Dry Fork	WV	, as P	rincipal, and Liberty Mutual Ins	surance Company
of	Boston ,	MA	a corporation or	rganized and existing under the la	aws of the State of
MA	with its principal offic	e in the City of	Boston	_, as Surely, are held and firmly	bound unto the State
of West Virg	jinia, as Obligee, in the pena	al sum of Five Perc	ent of Amount Bid	(\$ 5%) for	the payment of which,
well and trul	y to be made, we jointly and	severally bind ourse	elves, our heirs, adm	ninistrators, executors, successor	s and assigns.
Th	e Condition of the above obl	igation is such that v	vhereas the Principa	I has submitted to the Purchasing	g Section of the
Department	of Administration a certain t	oid or proposal, altac	hed herelo and mad	le a part hereof, to enter into a co	intract in writing for
Bretz Mat	heny Mine Drainage (AM	L) Preston County	y, WV		
NO	W THEREFORE,				
(b) hereto and s agreement o force and ef exceed the p	shall furnish any other bonds created by the acceptance of fect. It is expressly understo penal amount of this obligation	d and the Principal s and insurance requ I said bid, then this o bod and agreed that to on as herein stated.	ired by the bid or pro bligation shalt be nu the llability of the Su	tract in accordance with the bid opposal, and shall in all other respill and void, otherwise this obligately for any and all claims hereur	ects perform the tion shall remain in full nder shall, in no event,
way impaire	e Surely, for the value received or affected by any extension of any such extension.	red, hereby stipulates on of the time within	s and agrees that the which the Obligee m	e obligations of sald Surety and i nay accept such bid, and said Su	s bond shall be in no rely does hereby
IN!	WITNESS WHEREOF, Princ	cipal and Surety have	e hereunto set their t	hands and seals, and such of the	m as are corporations
	their corporate seals to be ay of <u>November</u>		l these presents to b	e signed by their proper officers.	this
Principal Co	rporate Seal			Mountaineer Infrastructure,	
SESS CONTRACTOR OF THE PROPERTY OF THE PROPERT	Polyton 182			(Name of Prin By MA. Lvan (Must be Pres Vice Presiden (Title)	sident or
Surety Corp	orale Scal			Liberty Mutual Insurance Co (Name of Sure) By January Standard Sure) (Suzie), Licensed WV Replant Agent	
	995 #BS			M/	

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

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Altorney limits the acts of those pamed herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No 6179567

American Fire and Casualty Company.
The Ohlo Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hempshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (here in collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint:

Andrew K. Teeter, Christopher A. Michel: Donna J. Price: Douglas P. Taylor, Janis K. Peacock: Kimberly L. Miles: Kimberly S. Burdette:
Parnela: V. Lanham

all of the city of <u>Charleston</u> state of <u>WV</u> each individually it there be more than one named, its true and lawful attornay in fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surely and as its act and deed, any and all undertakings; bonds, recognizances and other surely obligations, in pursuance of these presents and shall be as binding upon the Companies as it they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF: this Power of Attorney ries been subscribed by an authorized officer or official of the Companies and the comporate seals of the Companies have been affixed thereto this 26th day of June 2013

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

STATE OF WASHINGTON 98.

Gregory W. Davenport, Assistant Secretary

On this 26th day of June 2013, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company. The Offic Casualty Company, and West American Insurance Company, and that he as such being authorized so to do execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF: I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.

By: KD Riley , Notan Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS—Section 12: Power of Attorney. Any officer proficial of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation; as the Chairman or the President may prescribe; shall appoint such attorneys in fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surely any and all undertakings; bonds, recognizances and officer surety obligations. Such attorneys in fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation. When so executed, such instruments shall be as binding as it signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of talls article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5: Surety Bonds and Undertakings: Any officer of the Company authorized for that purpose in writing by the chairman or the president and subject to such limitations as the chairman or the president may prescribe shall appoint such attorneys in fact, as may be necessary to act in behalf of the Company to make, execute, scal; acknowledge and deliver as surety any and all undertakings; bonds, recognizances and other surety obligations. Such attorneys in-fact subject to the limitations set forth in their respective powers of attorney; shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as bridding as if signed by the president and attested by the secretary.

Certificate of Designation - The PresidenCol the Company, acting pursuant to the Bylaws of the Company authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make execute, seal, acknowledge and deliver as surely any and all-undertakings, bonds, recognizances and other surely obligations.

Authorization — By unanimous consent of the Company's Board of Directors, the Company consents that lassithtle of mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with screen bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

1) David M. Carey: the undersigned, Assistant Secretary of American Fire and Casualty Company. The Chic Casualty Insurance Company: Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of sald Companies this 21st day of November , 20 1



By: David M. Carey, Assistant Secretary

validity of this Power or Augusta, 2011

0-832-8240

φ



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

STATE OF WEST VIRGINIA,
COUNTY OF Tucker, TO-WIT:
I, Maff Evans , efter being first duly sworn, depose and state as follows:
1. I am an employee of Mountainer Infrastructure, uc, and, (Company Name)
2. I do hereby attest that Mountainur Infrastructure, LLC (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D.
The above statements are sworn to under the penalty of perjury.
By: Matt Crant
Title: <u>President</u>
Company Name: Mountaineur Infrastructure
Date: //21/13
Taken, subscribed and sworn to before me this 21 day of November, 2013.
(Seal) With the season of the
(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.

RFQ No. DEP 16389

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: 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, fimited 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 exceed 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. Vs. Code §61-6-3) 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.

Vendor's Name: Mountaineer Anfrastructure, LLC
Vendor's Name: Mountaineer Angrasturture, LLC Authorized Signature: MA. Evanf Date: 11/21/13
State of West Virginia
County of Tucker. lo-wit:
Taken, subscribed, and sworn to before me this 21 stay of November . 20 3.
My Commission expires August 25 .2014.
AFFIX SEAL HERE NOTARY PUBLIC Thin & Vanderente



WITNESS THE FOLLOWING SIGNATURE:

Purchasing Affidavit (Revised 07/01/2012)

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.

Mountaineer de	nfrastructure, LL
Ma. Lvans (Authorized Signature)	
Matt Evans (Representative Name, Title	
304 866-4953	304 866-4329
(Phone Number)	(Fax Number)
//-2/-/3 (Date)	

RFQ No. DEP 16389

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: 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:

WITNESS THE FOLLOWING SIGNATURE:

"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 outstending 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-Zc-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 exceed 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. Vs. Code §61-5-3) 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.

Vendor's Name: <u>Mountainer Imprastructure</u> Authorized Signature: <u>M.B. Evanf</u>	c, LLC
Authorized Signature: MR. Evanf	Date: 11/21/13
State of West Virginia	,
County of lucker, to-wit:	
Taken, subscribed, and sworn to before me this 2 day of Nevs	20 <u>B</u> .
My Commission expires August 25 2014	
AFFIX SEAL HERE NOTARY PU	IBLIC Cothern L. Van Devende

NOTARY PUBLIC - OFFICIAL SEAL
STATE OF WEST VIRGINIA
Catherine L. VanDevender
P.O. Box 229, Whitmer, WV 26296
My Commission, Expires August 23, 2014

Purchasing Affidavit (Revised 07/01/2012)

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.

Mountainer M. (Company)	refrastructure, LLC
MR. LVans (Authorized Signature)	
Matt Evans (Representative Name, Title)	
304 866-4953	304 866-4329
(Phone Number)	(Fax Number)
//-2/-/3 (Date)	

ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: DEP16389

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.

	Numbers Received: ox next to each addendum received	ved)	
	Addendum No. 1		Addendum No. 6
	Addendum No. 2		Addendum No. 7
	Addendum No. 3		Addendum No. 8
	Addendum No. 4		Addendum No. 9
	Addendum No. 5		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.			
		Mod	unfaineer In Frastructure, LLC Company
MR Evans Authorized Signature			
P		<u> </u>	11/21/13 Date

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