



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

State of West Virginia
Purchase Order

Order Date: 04-19-2022

CORRECT ORDER NUMBER MUST APPEAR
ON ALL PACKAGES, INVOICES, AND
SHIPPING PAPERS. QUESTIONS
CONCERNING THIS ORDER SHOULD BE
DIRECTED TO THE DEPARTMENT
CONTACT.

Order Number:	CPO 0313 9171 DEP1900000020 9	Procurement Folder:	485901
Document Name:	EOI - Richard Mine Drainage Access	Reason for Modification:	EOI - Richard Mine Drainage Access CO #3 Decrease & Close
Document Description:	EOI - Richard Mine Drainage Access CO #3 Decrease & Close		
Procurement Type:	Central Purchase Order		
Buyer Name:	Joseph E Hager III		
Telephone:	(304) 558-2306		
Email:	joseph.e.hageriii@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	2019-05-15
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2022-02-14

VENDOR	DEPARTMENT CONTACT																				
Vendor Customer Code: 000000203652 E L ROBINSON ENGINEERING CO 5088 Washington St W Charleston WV 25313-1536 US Vendor Contact Phone: 304-776-7473 Extension: 252 Discount Details: <table><thead><tr><th></th><th>Discount Allowed</th><th>Discount Percentage</th><th>Discount Days</th></tr></thead><tbody><tr><td>#1</td><td>No</td><td>0.0000</td><td>0</td></tr><tr><td>#2</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#3</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#4</td><td>Not Entered</td><td></td><td></td></tr></tbody></table>		Discount Allowed	Discount Percentage	Discount Days	#1	No	0.0000	0	#2	Not Entered			#3	Not Entered			#4	Not Entered			Requestor Name: Katrina J Dufourny Requestor Phone: (304) 926-0499 Requestor Email: katrina.j.dufourny@wv.gov
	Discount Allowed	Discount Percentage	Discount Days																		
#1	No	0.0000	0																		
#2	Not Entered																				
#3	Not Entered																				
#4	Not Entered																				

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US	ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US

4-25-22 BAT

ENTERED

Total Order Amount: \$148,269.50

Purchasing Division's File C

JA 4-22-2022

PURCHASING DIVISION AUTHORIZATION DATE: Linda Harper 4/25/22 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: [Signature] ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: [Signature] MAY 02 2022 ELECTRONIC SIGNATURE ON FILE
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4/29/2022

Extended Description:

Change Order

Change Order No. 3 issued to decrease and close the contract according to all terms, conditions and specifications contained in the contract including all authorized change orders.

Contract Sum: \$163,914.50
Change Order #3 Decrease: (\$15,645.00)

New Contract Sum: \$148,269.50

Effective date: 2/14/2022

All provisions of the original contract and subsequent change orders not modified herein shall remain in full force and effect.

No other changes.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	81100000	0.00000		0.000000	135269.50
Service From	Service To	Manufacturer	Model No		
2019-05-15	2022-02-14				

Commodity Line Description: EOI Engineering Design Services

Extended Description:

*Dates of Service are estimated for bidding purposes only.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	81100000	0.00000		0.000000	13000.00
Service From	Service To	Manufacturer	Model No		
2019-05-15	2022-02-14				

Commodity Line Description: EOI Engineering Design Services

Extended Description:

*Dates of Service are estimated for bidding purposes only.



OK
Linda Harper
4-25-2022

west virginia department of environmental protection

Division of Land Restoration
Office of Abandoned Mine Lands
101 Cambridge Place
Bridgeport, WV 26330
Phone: 304-842-1900
Fax: 304-842-1928

Harold D. Ward, Cabinet Secretary
dep.wv.gov

March 3, 2022

E.L. Robinson Engineering Co.
Mr. Eric Coberly
5088 Washington Street
West Charleston, WV 25313

Re: Change Order # 3 (Close Out)
Project Name: Richard Mine Drainage Access
Contract Number: CPO:DEP19*20

Dear Mr. Coberly:

The WVDEP Office of Abandoned Mine Lands is issuing a change order to decrease the original contract according to all terms, conditions, prices, and specifications contained in the original contract including all authorized change orders as shown on Attachment A. This change order is for a decrease of \$15,645.00. This change order is for final quantities and will close out the contract. The contract time will be decreased by 89 days with a new completion date of February 14, 2022.

Invoice Item I Surveying and Mapping, Section G - Per Diem; shall be decreased by 4 days. The remaining days were not needed to complete the task.

Invoice Item II Field Investigation (Drilling) – Section B - Soil Augering; shall be decreased by 5 linear feet. The additional linear footage was not needed to complete the task.

Invoice Item II Field Investigation (Drilling) – Section C – Rock Coring; shall be decreased by 8 linear feet. The additional linear footage was not needed to complete the task.

Invoice Item III Bridge Inspection – Section A - Structural Manager hours; shall be decreased by 11 hours. The remaining hours were not required to complete the task.

Invoice Item III Bridge Inspection – Section B - Structural Engineer hours; shall be decreased by 12 hours. The remaining hours were not required to complete the task.

Invoice Item III Bridge Inspection – Section C - Staff Engineer hours; shall be decreased by 26 hours. The remaining hours were not required to complete the task.

Invoice Item III Bridge Inspection – Section D - Mileage; shall be decreased by 600 miles. The additional miles were not required to complete the task.

Invoice Item IV Design Engineering and Contract Documents (Hydraulic Analysis and Stream Relocation Impacts) – Section F - Mileage; shall be decreased by 600 miles. The mileage was not required to complete the task.

Re: Change Order # 3
Purchase Order No.: CPO:DEP19*20

Invoice Item IV Design Engineering and Contract Documents (Structural Design) – Section F - Mileage; shall be decreased by 300 miles. The additional miles were not required to complete the task.

Invoice Item IV Design Engineering and Contract Documents (Pre-Construction Conference) – Section A – Structural Manager; shall be decreased by 12 hours. The hours were not needed because the consultant was not requested to provide this service.

Invoice Item IV Design Engineering and Contract Documents (Pre-Construction Conference) – Section B - Mileage; shall be decreased by 300 miles. The mileage was not needed because the consultant was not requested to provide this service.

Invoice Item IV Additional Services (If Requested by WVDEP) Construction Monitoring (Each Visit) – Section A – Inspector; shall be decreased by 40 hours. The additional hours were not to complete the task.

Invoice Item IV Additional Services (If Requested by WVDEP) Construction Monitoring (Each Visit) – Section B - Mileage; shall be decreased by 1,800 miles The additional miles were not required to complete the task.

The original contract sum was \$153,864.50. This Change Order #3 decreases the contract by \$15,645.00. This results in a final adjusted contract price of \$148,269.50 or net percentage decrease from the original contract price of approximately -3.64%.

Change Order Approved by WVDEP:

Name	Title	Signature	Date
Troy Schell	Northern Design Administrator	Troy H. Schell	Digitally signed by Troy H. Schell DN: cn = Troy H. Schell, email = troy.schell@northern-design.com, o = Northern Design LLC, ou = Office of the Administrator Date: 2022.03.03 11:52:07 -0500

Completion of this change order approval process requires

- ☒ your signature below
- ☒ a current copy of your contractor's license
- ☒ a current copy of your insurance certificate
 - WVDEP must be listed as additional insured and the contract number must be listed in the extended description
- ☒ a notarized Procurement Affidavit

Re: Change Order # 3
Purchase Order No.: CPO:DEP19*20

I am in agreement with the changes as outlined in this letter and Attachment A.
(vendor signature required below)

Name	Title	Signature	Date
ERIC COBERLY	Project Manager	EJ Coberly	3.3.22

Please email the signed documents to Leigh.A.Shaffer@wv.gov within 7 days of receipt of this letter.

If a Bond Rider is required, please mail the original to:

WV Dept. of Environmental Protection
Office of Abandoned Mine Lands
Attn: Leigh Ann Shaffer
601 57th Street SE
Charleston, WV 25304



MARK D. SCOTT
CABINET SECRETARY

STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION

W. MICHAEL SHEETS
DIRECTOR

PURCHASING DIVISION

MEMORANDUM

TO: Frank Whittaker, CPPB, Assistant Director, WV Purchasing Division

FROM: James Meadows, CPPO, General Counsel, WV Purchasing Division

DATE: April 19, 2022

RE: HB 4499; Purchasing Affidavit; Interested Party Disclosure

A handwritten signature in dark ink, appearing to be "JM", located to the right of the "FROM:" line.

Pursuant to your request, I have investigated the impact of the recently passed House Bill 4499 on the bidding/contract award process as it relates to the Purchasing Affidavit and the Interested Party Disclosure Form. More specifically, you asked if the buying staff would need to continue collecting the two forms for contracts put out to bid, but not yet awarded, prior to the law change. My conclusion is that continuing to collect those forms is not necessary.

House Bill 4499 was a bill sponsored by the Governor's office, and made effective from passage, that made changes to various provisions of the West Virginia Code to make the procurement process more efficient. Two notable changes are the elimination of the need to collect the Purchasing Affidavit (previously found in W. Va. § Code 5A-3-10a) and the Interested Party Disclosure form (previously found in W. Va. Code § 6D-1-2) prior to award. Since the need for those forms prior to award was statutorily driven, and the statutes have now been modified, I see no reason to continue collecting them.

One concern was that the solicitations issued prior to the laws passage reference the applicable statutes and indicate that the two forms will be needed prior to award. Those references were found in term 37 and term 43 of the General Terms and Conditions. From a priority standpoint, the change to the law would certainly trump the solicitation's terms and conditions. To help explain that inaccurate statement, and the lack of the two forms in the procurement file, however, please request that procurement staff include a copy of this memo in all solicitation files that went out to bid prior to HB 4499 passing and contain the old versions of term 37 and term 43.



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"E.L. ROBINSON"



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