



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: 11-08-2024

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 DEP2500000009 1	Procurement Folder:	1257367
Document Name:	EOI - 2023 AML Contract S1	Reason for Modification:	
Document Description:	EOI - 2023 AML Contract S1		
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:	2024-11-15
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	

VENDOR	DEPARTMENT CONTACT																				
Vendor Customer Code: 000000205209 L A GATES COMPANY 2302 S FAYETTE ST BECKLEY WV 25801 US Vendor Contact Phone: 3042561640 Extension: 102 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: Jessica S Chambers Requestor Phone: (304) 414-1140 Requestor Email: jessica.s.chambers@wv.gov 2025 FILE LOCATION _____
	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

CR 11-13-24

Purchasing Division's File Copy

Total Order Amount: \$3,545,229.00

PURCHASING DIVISION AUTHORIZATION DATE: 11/14/24 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: 11/14/24 ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: 11-14-24 ELECTRONIC SIGNATURE ON FILE
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11/14/2024

Extended Description:

The vendor, L.A. Gates Company, agrees to enter into this contract with the agency, The West Virginia Department of Environmental Protection for the Design and Engineering Services for the 2023 AML Contract S1 per the specifications, terms and conditions, and the vendors submitted cost proposal dated 9/30/2024 all incorporated herein by reference and made a part hereof.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	81100000	0.00000		0.000000	273636.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Holden (Curry) Drainage

Extended Description:

Professional Svcs - Holden (Curry) Drainage

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	81100000	0.00000		0.000000	174314.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Curtis Mine Openings

Extended Description:

Professional Svcs - Curtis Mine Openings

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	81100000	0.00000		0.000000	206289.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Whitman Refuse Pile

Extended Description:

Professional Svcs - Whitman Refuse Pile

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	81100000	0.00000		0.000000	166911.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Logan (Ratz) Drainage

Extended Description:

Professional Svcs - Logan (Ratz) Drainage

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
5	81100000	0.00000		0.000000	222289.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Switzer (Castle) Subsidence

Extended Description:

Professional Svcs - Switzer (Castle) Subsidence

2024.11.08

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
6	81100000	0.00000		0.000000	264445.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Rockhouse Fork (Caudill) Drainage

Extended Description:
Professional Svcs - Rockhouse Fork (Caudill) Drainage

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
7	81100000	0.00000		0.000000	362789.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Williamson (Lusk) LS

Extended Description:
Professional Svcs - Williamson (Lusk) LS

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
8	81100000	0.00000		0.000000	205886.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Jennie Creek (Messer) Portals

Extended Description:
Professional Svcs - Jennie Creek (Messer) Portals

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
9	81100000	0.00000		0.000000	163933.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Buffalo Trail Portals

Extended Description:
Professional Svcs - Buffalo Trail Portals

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
10	81100000	0.00000		0.000000	713150.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Fireco Refuse Piles

Extended Description:
Professional Svcs - Fireco Refuse Piles

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
11	81100000	0.00000		0.000000	465437.00
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: Professional Svcs - Coaldale Coke Ovens and Drainage

Extended Description:
Professional Svcs - Coaldale Coke Ovens and Drainage

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
12	81100000	0.00000		0.000000	326150.00
Service From	Service To	Manufacturer	Model No		

Commodity Line Description: Professional Svcs - Wyoming County LCAP

Extended Description:
Professional Svcs - Wyoming County LCAP

GENERAL TERMS AND CONDITIONS:

1. CONTRACTUAL AGREEMENT: Issuance of an Award Document signed by the Purchasing Division Director, or his designee, and approved as to form by the Attorney General's office constitutes acceptance by the State of this Contract made by and between the State of West Virginia and the Vendor. Vendor's signature on its bid, or on the Contract if the Contract is not the result of a bid solicitation, signifies Vendor's agreement to be bound by and accept the terms and conditions contained in this Contract.

2. DEFINITIONS: As used in this Solicitation/Contract, the following terms shall have the meanings attributed to them below. Additional definitions may be found in the specifications included with this Solicitation/Contract.

2.1. "Agency" or "Agencies" means the agency, board, commission, or other entity of the State of West Virginia that is identified on the first page of the Solicitation or any other public entity seeking to procure goods or services under this Contract.

2.2. "Bid" or "Proposal" means the vendors submitted response to this solicitation.

2.3. "Contract" means the binding agreement that is entered into between the State and the Vendor to provide the goods or services requested in the Solicitation.

2.4. "Director" means the Director of the West Virginia Department of Administration, Purchasing Division.

2.5. "Purchasing Division" means the West Virginia Department of Administration, Purchasing Division.

2.6. "Award Document" means the document signed by the Agency and the Purchasing Division, and approved as to form by the Attorney General, that identifies the Vendor as the contract holder.

2.7. "Solicitation" means the official notice of an opportunity to supply the State with goods or services that is published by the Purchasing Division.

2.8. "State" means the State of West Virginia and/or any of its agencies, commissions, boards, etc. as context requires.

2.9. "Vendor" or "Vendors" means any entity submitting a bid in response to the Solicitation, the entity that has been selected as the lowest responsible bidder, or the entity that has been awarded the Contract as context requires.

3. CONTRACT TERM; RENEWAL; EXTENSION: The term of this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below:

☐ **Term Contract**

Initial Contract Term: The Initial Contract Term will be for a period of _____. The Initial Contract Term becomes effective on the effective start date listed on the first page of this Contract, identified as the State of West Virginia contract cover page containing the signatures of the Purchasing Division, Attorney General, and Encumbrance clerk (or another page identified as _____), and the Initial Contract Term ends on the effective end date also shown on the first page of this Contract.

Renewal Term: This Contract may be renewed upon the mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any request for renewal should be delivered to the Agency and then submitted to the Purchasing Division thirty (30) days prior to the expiration date of the initial contract term or appropriate renewal term. A Contract renewal shall be in accordance with the terms and conditions of the original contract. Unless otherwise specified below, renewal of this Contract is limited to _____ successive one (1) year periods or multiple renewal periods of less than one year, provided that the multiple renewal periods do not exceed the total number of months available in all renewal years combined. Automatic renewal of this Contract is prohibited. Renewals must be approved by the Vendor, Agency, Purchasing Division and Attorney General's office (Attorney General approval is as to form only)

☐ **Alternate Renewal Term** – This contract may be renewed for _____ successive _____ year periods or shorter periods provided that they do not exceed the total number of months contained in all available renewals. Automatic renewal of this Contract is prohibited. Renewals must be approved by the Vendor, Agency, Purchasing Division and Attorney General's office (Attorney General approval is as to form only)

Delivery Order Limitations: In the event that this contract permits delivery orders, a delivery order may only be issued during the time this Contract is in effect. Any delivery order issued within one year of the expiration of this Contract shall be effective for one year from the date the delivery order is issued. No delivery order may be extended beyond one year after this Contract has expired.

☐ **Fixed Period Contract:** This Contract becomes effective upon Vendor's receipt of the notice to proceed and must be completed within _____ days.

☐ **Fixed Period Contract with Renewals:** This Contract becomes effective upon Vendor's receipt of the notice to proceed and part of the Contract more fully described in the attached specifications must be completed within _____ days. Upon completion of the work covered by the preceding sentence, the vendor agrees that:

☐ the contract will continue for _____ years;

☐ the contract may be renewed for _____ successive _____ year periods or shorter periods provided that they do not exceed the total number of months contained in all available renewals. Automatic renewal of this Contract is prohibited. Renewals must be approved by the Vendor, Agency, Purchasing Division and Attorney General's Office (Attorney General approval is as to form only).

☐ **One-Time Purchase:** The term of this Contract shall run from the issuance of the Award Document until all of the goods contracted for have been delivered, but in no event will this Contract extend for more than one fiscal year.

☒ **Construction/Project Oversight:** This Contract becomes effective on the effective start date listed on the first page of this Contract, identified as the State of West Virginia contract cover page containing the signatures of the Purchasing Division, Attorney General, and Encumbrance clerk (or another page identified as _____), and continues until the project for which the vendor is providing oversight is complete.

☐ **Other:** Contract Term specified in _____

4. AUTHORITY TO PROCEED: Vendor is authorized to begin performance of this contract on the date of encumbrance listed on the front page of the Award Document unless either the box for "Fixed Period Contract" or "Fixed Period Contract with Renewals" has been checked in Section 3 above. If either "Fixed Period Contract" or "Fixed Period Contract with Renewals" has been checked, Vendor must not begin work until it receives a separate notice to proceed from the State. The notice to proceed will then be incorporated into the Contract via change order to memorialize the official date that work commenced.

5. QUANTITIES: The quantities required under this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below.

☐ **Open End Contract:** Quantities listed in this Solicitation/Award Document are approximations only, based on estimates supplied by the Agency. It is understood and agreed that the Contract shall cover the quantities actually ordered for delivery during the term of the Contract, whether more or less than the quantities shown.

☐ **Service:** The scope of the service to be provided will be more clearly defined in the specifications included herewith.

☒ **Combined Service and Goods:** The scope of the service and deliverable goods to be provided will be more clearly defined in the specifications included herewith.

☐ **One-Time Purchase:** This Contract is for the purchase of a set quantity of goods that are identified in the specifications included herewith. Once those items have been delivered, no additional goods may be procured under this Contract without an appropriate change order approved by the Vendor, Agency, Purchasing Division, and Attorney General's office.

☐ **Construction:** This Contract is for construction activity more fully defined in the specifications.

6. EMERGENCY PURCHASES: The Purchasing Division Director may authorize the Agency to purchase goods or services in the open market that Vendor would otherwise provide under this Contract if those goods or services are for immediate or expedited delivery in an emergency. Emergencies shall include, but are not limited to, delays in transportation or an unanticipated increase in the volume of work. An emergency purchase in the open market, approved by the Purchasing Division Director, shall not constitute a breach of this Contract and shall not entitle the Vendor to any form of compensation or damages. This provision does not excuse the State from fulfilling its obligations under a One-Time Purchase contract.

7. REQUIRED DOCUMENTS: All of the items checked in this section must be provided to the Purchasing Division by the Vendor as specified:

☐ **LICENSE(S) / CERTIFICATIONS / PERMITS:** In addition to anything required under the Section of the General Terms and Conditions entitled Licensing, the apparent successful Vendor shall furnish proof of the following licenses, certifications, and/or permits upon request and in a form acceptable to the State. The request may be prior to or after contract award at the State's sole discretion.

☐☐☐☐

The apparent successful Vendor shall also furnish proof of any additional licenses or certifications contained in the specifications regardless of whether or not that requirement is listed above.

8. INSURANCE: The apparent successful Vendor shall furnish proof of the insurance identified by a checkmark below prior to Contract award. The insurance coverages identified below must be maintained throughout the life of this contract. Thirty (30) days prior to the expiration of the insurance policies, Vendor shall provide the Agency with proof that the insurance mandated herein has been continued. Vendor must also provide Agency with immediate notice of any changes in its insurance policies, including but not limited to, policy cancelation, policy reduction, or change in insurers. The apparent successful Vendor shall also furnish proof of any additional insurance requirements contained in the specifications prior to Contract award regardless of whether that insurance requirement is listed in this section.

Vendor must maintain:

☒ **Commercial General Liability Insurance** in at least an amount of: \$1,000,0000.00 per occurrence.

☒ **Automobile Liability Insurance** in at least an amount of: \$1,000,0000.00 per occurrence.

☒ **Professional/Malpractice/Errors and Omission Insurance** in at least an amount of: \$1,000,0000.00 per occurrence. Notwithstanding the forgoing, Vendor's are not required to list the State as an additional insured for this type of policy.

☐ **Commercial Crime and Third Party Fidelity Insurance** in an amount of: _____ per occurrence.

☐ **Cyber Liability Insurance** in an amount of: _____ per occurrence.

☐ **Builders Risk Insurance** in an amount equal to 100% of the amount of the Contract.

☐ **Pollution Insurance** in an amount of: _____ per occurrence.

☐ **Aircraft Liability** in an amount of: _____ per occurrence.

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9. WORKERS' COMPENSATION INSURANCE: Vendor shall comply with laws relating to workers compensation, shall maintain workers' compensation insurance when required, and shall furnish proof of workers' compensation insurance upon request.

10. VENUE: All legal actions for damages brought by Vendor against the State shall be brought in the West Virginia Claims Commission. Other causes of action must be brought in the West Virginia court authorized by statute to exercise jurisdiction over it.

11. LIQUIDATED DAMAGES: This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue any other available remedy. Vendor shall pay liquidated damages in the amount specified below or as described in the specifications:

☐ _____ for _____.

☐ Liquidated Damages Contained in the Specifications.

☐ Liquidated Damages Are Not Included in this Contract.

12. ACCEPTANCE: Vendor's signature on its bid, or on the certification and signature page, constitutes an offer to the State that cannot be unilaterally withdrawn, signifies that the product or service proposed by vendor meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise indicated, and signifies acceptance of the terms and conditions contained in the Solicitation unless otherwise indicated.

13. PRICING: The pricing set forth herein is firm for the life of the Contract, unless specified elsewhere within this Solicitation/Contract by the State. A Vendor's inclusion of price adjustment provisions in its bid, without an express authorization from the State in the Solicitation to do so, may result in bid disqualification. Notwithstanding the foregoing, Vendor must extend any publicly advertised sale price to the State and invoice at the lower of the contract price or the publicly advertised sale price.

14. PAYMENT IN ARREARS: Payments for goods/services will be made in arrears only upon receipt of a proper invoice, detailing the goods/services provided or receipt of the goods/services, whichever is later. Notwithstanding the foregoing, payments for software maintenance, licenses, or subscriptions may be paid annually in advance.

15. PAYMENT METHODS: Vendor must accept payment by electronic funds transfer and P-Card. (The State of West Virginia's Purchasing Card program, administered under contract by a banking institution, processes payment for goods and services through state designated credit cards.)

16. TAXES: The Vendor shall pay any applicable sales, use, personal property or any other taxes arising out of this Contract and the transactions contemplated thereby. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.

17. ADDITIONAL FEES: Vendor is not permitted to charge additional fees or assess additional charges that were not either expressly provided for in the solicitation published by the State of West Virginia, included in the Contract, or included in the unit price or lump sum bid amount that Vendor is required by the solicitation to provide. Including such fees or charges as notes to the solicitation may result in rejection of vendor's bid. Requesting such fees or charges be paid after the contract has been awarded may result in cancellation of the contract.

18. FUNDING: This Contract shall continue for the term stated herein, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise made available, this Contract becomes void and of no effect beginning on July 1 of the fiscal year for which funding has not been appropriated or otherwise made available. If that occurs, the State may notify the Vendor that an alternative source of funding has been obtained and thereby avoid the automatic termination. Non-appropriation or non-funding shall not be considered an event of default.

19. CANCELLATION: The Purchasing Division Director reserves the right to cancel this Contract immediately upon written notice to the vendor if the materials or workmanship supplied do not conform to the specifications contained in the Contract. The Purchasing Division Director may also cancel any purchase or Contract upon 30 days written notice to the Vendor in accordance with West Virginia Code of State Rules § 148-1-5.2.b.

20. TIME: Time is of the essence regarding all matters of time and performance in this Contract.

21. APPLICABLE LAW: This Contract is governed by and interpreted under West Virginia law without giving effect to its choice of law principles. Any information provided in specification manuals, or any other source, verbal or written, which contradicts or violates the West Virginia Constitution, West Virginia Code, or West Virginia Code of State Rules is void and of no effect.

22. COMPLIANCE WITH LAWS: Vendor shall comply with all applicable federal, state, and local laws, regulations and ordinances. By submitting a bid, Vendor acknowledges that it has reviewed, understands, and will comply with all applicable laws, regulations, and ordinances.

SUBCONTRACTOR COMPLIANCE: Vendor shall notify all subcontractors providing commodities or services related to this Contract that as subcontractors, they too are required to comply with all applicable laws, regulations, and ordinances. Notification under this provision must occur prior to the performance of any work under the contract by the subcontractor.

23. ARBITRATION: Any references made to arbitration contained in this Contract, Vendor's bid, or in any American Institute of Architects documents pertaining to this Contract are hereby deleted, void, and of no effect.

24. MODIFICATIONS: This writing is the parties' final expression of intent. Notwithstanding anything contained in this Contract to the contrary no modification of this Contract shall be binding without mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any change to existing contracts that adds work or changes contract cost, and were not included in the original contract, must be approved by the Purchasing Division and the Attorney General's Office (as to form) prior to the implementation of the change or commencement of work affected by the change.

25. WAIVER: The failure of either party to insist upon a strict performance of any of the terms or provision of this Contract, or to exercise any option, right, or remedy herein contained, shall not be construed as a waiver or a relinquishment for the future of such term, provision, option, right, or remedy, but the same shall continue in full force and effect. Any waiver must be expressly stated in writing and signed by the waiving party.

26. SUBSEQUENT FORMS: The terms and conditions contained in this Contract shall supersede any and all subsequent terms and conditions which may appear on any form documents submitted by Vendor to the Agency or Purchasing Division such as price lists, order forms, invoices, sales agreements, or maintenance agreements, and includes internet websites or other electronic documents. Acceptance or use of Vendor's forms does not constitute acceptance of the terms and conditions contained thereon.

27. ASSIGNMENT: Neither this Contract nor any monies due, or to become due hereunder, may be assigned by the Vendor without the express written consent of the Agency, the Purchasing Division, the Attorney General's office (as to form only), and any other government agency or office that may be required to approve such assignments.

28. WARRANTY: The Vendor expressly warrants that the goods and/or services covered by this Contract will: (a) conform to the specifications, drawings, samples, or other description furnished or specified by the Agency; (b) be merchantable and fit for the purpose intended; and (c) be free from defect in material and workmanship.

29. STATE EMPLOYEES: State employees are not permitted to utilize this Contract for personal use and the Vendor is prohibited from permitting or facilitating the same.

30. PRIVACY, SECURITY, AND CONFIDENTIALITY: The Vendor agrees that it will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the Agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the Agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/default.html>.

31. YOUR SUBMISSION IS A PUBLIC DOCUMENT: Vendor's entire response to the Solicitation and the resulting Contract are public documents. As public documents, they will be disclosed to the public following the bid/proposal opening or award of the contract, as required by the competitive bidding laws of West Virginia Code §§ 5A-3-1 et seq., 5-22-1 et seq., and 5G-1-1 et seq. and the Freedom of Information Act West Virginia Code §§ 29B-1-1 et seq.

DO NOT SUBMIT MATERIAL YOU CONSIDER TO BE CONFIDENTIAL, A TRADE SECRET, OR OTHERWISE NOT SUBJECT TO PUBLIC DISCLOSURE.

Submission of any bid, proposal, or other document to the Purchasing Division constitutes your explicit consent to the subsequent public disclosure of the bid, proposal, or document. The Purchasing Division will disclose any document labeled "confidential," "proprietary," "trade secret," "private," or labeled with any other claim against public disclosure of the documents, to include any "trade secrets" as defined by West Virginia Code § 47-22-1 et seq. All submissions are subject to public disclosure without notice.

32. LICENSING: In accordance with West Virginia Code of State Rules § 148-1-6.1.e, Vendor must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agency or political subdivision. Obligations related to political subdivisions may include, but are not limited to, business licensing, business and occupation taxes, inspection compliance, permitting, etc. Upon request, the Vendor must provide all necessary releases to obtain information to enable the Purchasing Division Director or the Agency to verify that the Vendor is licensed and in good standing with the above entities.

SUBCONTRACTOR COMPLIANCE: Vendor shall notify all subcontractors providing commodities or services related to this Contract that as subcontractors, they too are required to be licensed, in good standing, and up-to-date on all state and local obligations as described in this section. Obligations related to political subdivisions may include, but are not limited to, business licensing, business and occupation taxes, inspection compliance, permitting, etc. Notification under this provision must occur prior to the performance of any work under the contract by the subcontractor.

33. ANTITRUST: In submitting a bid to, signing a contract with, or accepting a Award Document from any agency of the State of West Virginia, the Vendor agrees to convey, sell, assign, or transfer to the State of West Virginia all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to Vendor.

34. VENDOR NON-CONFLICT: Neither Vendor nor its representatives are permitted to have any interest, nor shall they acquire any interest, direct or indirect, which would compromise the performance of its services hereunder. Any such interests shall be promptly presented in detail to the Agency.

Revised 11/1/2022

35. VENDOR RELATIONSHIP: The relationship of the Vendor to the State shall be that of an independent contractor and no principal-agent relationship or employer-employee relationship is contemplated or created by this Contract. The Vendor as an independent contractor is solely liable for the acts and omissions of its employees and agents. Vendor shall be responsible for selecting, supervising, and compensating any and all individuals employed pursuant to the terms of this Solicitation and resulting contract. Neither the Vendor, nor any employees or subcontractors of the Vendor, shall be deemed to be employees of the State for any purpose whatsoever. Vendor shall be exclusively responsible for payment of employees and contractors for all wages and salaries, taxes, withholding payments, penalties, fees, fringe benefits, professional liability insurance premiums, contributions to insurance and pension, or other deferred compensation plans, including but not limited to, Workers' Compensation and Social Security obligations, licensing fees, etc. and the filing of all necessary documents, forms, and returns pertinent to all of the foregoing.

Vendor shall hold harmless the State, and shall provide the State and Agency with a defense against any and all claims including, but not limited to, the foregoing payments, withholdings, contributions, taxes, Social Security taxes, and employer income tax returns.

36. INDEMNIFICATION: The Vendor agrees to indemnify, defend, and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person, or firm performing or supplying services, materials, or supplies in connection with the performance of the Contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use, or disposition of any data used under the Contract in a manner not authorized by the Contract, or by Federal or State statutes or regulations; and (3) Any failure of the Vendor, its officers, employees, or subcontractors to observe State and Federal laws including, but not limited to, labor and wage and hour laws.

37. NO DEBT CERTIFICATION: In accordance with West Virginia Code §§ 5A-3-10a and 5-22-1(i), the State is prohibited from awarding a contract to any bidder that owes a debt to the State or a political subdivision of the State. By submitting a bid, or entering into a contract with the State, Vendor is affirming that (1) for construction contracts, the Vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, neither the Vendor nor any related party owe a debt as defined above, and neither the Vendor nor any related party are in employer default as defined in the statute cited above unless the debt or employer default is permitted under the statute.

38. CONFLICT OF INTEREST: Vendor, its officers or members or employees, shall not presently have or acquire an interest, direct or indirect, which would conflict with or compromise the performance of its obligations hereunder. Vendor shall periodically inquire of its officers, members and employees to ensure that a conflict of interest does not arise. Any conflict of interest discovered shall be promptly presented in detail to the Agency.

39. REPORTS: Vendor shall provide the Agency and/or the Purchasing Division with the following reports identified by a checked box below:

☒ Such reports as the Agency and/or the Purchasing Division may request. Requested reports may include, but are not limited to, quantities purchased, agencies utilizing the contract, total contract expenditures by agency, etc.

☐ Quarterly reports detailing the total quantity of purchases in units and dollars, along with a listing of purchases by agency. Quarterly reports should be delivered to the Purchasing Division via email at purchasing.division@wv.gov.

40. BACKGROUND CHECK: In accordance with W. Va. Code § 15-2D-3, the State reserves the right to prohibit a service provider's employees from accessing sensitive or critical information or to be present at the Capitol complex based upon results addressed from a criminal background check. Service providers should contact the West Virginia Division of Protective Services by phone at (304) 558-9911 for more information.

41. PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS: Except when authorized by the Director of the Purchasing Division pursuant to W. Va. Code § 5A-3-56, no contractor may use or supply steel products for a State Contract Project other than those steel products made in the United States. A contractor who uses steel products in violation of this section may be subject to civil penalties pursuant to W. Va. Code § 5A-3-56. As used in this section:

- a. "State Contract Project" means any erection or construction of, or any addition to, alteration of or other improvement to any building or structure, including, but not limited to, roads or highways, or the installation of any heating or cooling or ventilating plants or other equipment, or the supply of and materials for such projects, pursuant to a contract with the State of West Virginia for which bids were solicited on or after June 6, 2001.
- b. "Steel Products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated or otherwise similarly processed, or processed by a combination of two or more or such operations, from steel made by the open hearth, basic oxygen, electric furnace, Bessemer or other steel making process.
- c. The Purchasing Division Director may, in writing, authorize the use of foreign steel products if:
 1. The cost for each contract item used does not exceed one tenth of one percent (.1%) of the total contract cost or two thousand five hundred dollars (\$2,500.00), whichever is greater. For the purposes of this section, the cost is the value of the steel product as delivered to the project; or
 2. The Director of the Purchasing Division determines that specified steel materials are not produced in the United States in sufficient quantity or otherwise are not reasonably available to meet contract requirements.

42. PREFERENCE FOR USE OF DOMESTIC ALUMINUM, GLASS, AND STEEL: In Accordance with W. Va. Code § 5-19-1 et seq., and W. Va. CSR § 148-10-1 et seq., for every contract or subcontract, subject to the limitations contained herein, for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or for the purchase of any item of machinery or equipment to be used at sites of public works, only domestic aluminum, glass or steel products shall be supplied unless the spending officer determines, in writing, after the receipt of offers or bids, (1) that the cost of domestic aluminum, glass or steel products is unreasonable or inconsistent with the public interest of the State of West Virginia, (2) that domestic aluminum, glass or steel products are not produced in sufficient quantities to meet the contract requirements, or (3) the available domestic aluminum, glass, or steel do not meet the contract specifications. This provision only applies to public works contracts awarded in an amount more than fifty thousand dollars (\$50,000) or public works contracts that require more than ten thousand pounds of steel products.

The cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than twenty percent (20%) of the bid or offered price for foreign made aluminum, glass, or steel products. If the domestic aluminum, glass or steel products to be supplied or produced in a "substantial labor surplus area", as defined by the United States Department of Labor, the cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than thirty percent (30%) of the bid or offered price for foreign made aluminum, glass, or steel products. This preference shall be applied to an item of machinery or equipment, as indicated above, when the item is a single unit of equipment or machinery manufactured primarily of aluminum, glass or steel, is part of a public works contract and has the sole purpose or of being a permanent part of a single public works project. This provision does not apply to equipment or machinery purchased by a spending unit for use by that spending unit and not as part of a single public works project.

All bids and offers including domestic aluminum, glass or steel products that exceed bid or offer prices including foreign aluminum, glass or steel products after application of the preferences provided in this provision may be reduced to a price equal to or lower than the lowest bid or offer price for foreign aluminum, glass or steel products plus the applicable preference. If the reduced bid or offer prices are made in writing and supersede the prior bid or offer prices, all bids or offers, including the reduced bid or offer prices, will be reevaluated in accordance with this rule.

43. INTERESTED PARTY SUPPLEMENTAL DISCLOSURE: W. Va. Code § 6D-1-2 requires that for contracts with an actual or estimated value of at least \$1 million, the Vendor must submit to the Agency a disclosure of interested parties prior to beginning work under this Contract. Additionally, the Vendor must submit a supplemental disclosure of interested parties reflecting any new or differing interested parties to the contract, which were not included in the original pre-work interested party disclosure, within 30 days following the completion or termination of the contract. A copy of that form is included with this solicitation or can be obtained from the WV Ethics Commission. This requirement does not apply to publicly traded companies listed on a national or international stock exchange. A more detailed definition of interested parties can be obtained from the form referenced above.

44. PROHIBITION AGAINST USED OR REFURBISHED: Unless expressly permitted in the solicitation published by the State, Vendor must provide new, unused commodities, and is prohibited from supplying used or refurbished commodities, in fulfilling its responsibilities under this Contract.

45. VOID CONTRACT CLAUSES: This Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law.

46. ISRAEL BOYCOTT: Bidder understands and agrees that, pursuant to W. Va. Code § 5A-3-63, it is prohibited from engaging in a boycott of Israel during the term of this contract.

**ADDITIONAL TERMS AND CONDITIONS
(Architectural and Engineering Contracts Only)**

1. PLAN AND DRAWING DISTRIBUTION: All plans and drawings must be completed and available for distribution at least five business days prior to a scheduled pre-bid meeting for the construction or other work related to the plans and drawings.

2. PROJECT ADDENDA REQUIREMENTS: The Architect/Engineer and/or Agency shall be required to abide by the following schedule in issuing construction project addenda. The Architect/Engineer shall prepare any addendum materials for which it is responsible, and a list of all vendors that have obtained drawings and specifications for the project. The Architect/Engineer shall then send a copy of the addendum materials and the list of vendors to the State Agency for which the contract is issued to allow the Agency to make any necessary modifications. The addendum and list shall then be forwarded to the Purchasing Division buyer by the Agency. The Purchasing Division buyer shall send the addendum to all interested vendors and, if necessary, extend the bid opening date. Any addendum should be received by the Purchasing Division at least fourteen (14) days prior to the bid opening date.

3. PRE-BID MEETING RESPONSIBILITIES: The Architect/Engineer shall be available to attend any pre-bid meeting for the construction or other work resulting from the plans, drawings, or specifications prepared by the Architect/Engineer.

4. AIA DOCUMENTS: All construction contracts that will be completed in conjunction with architectural services procured under Chapter 5G of the West Virginia Code will be governed by the attached AIA documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein. The terms and conditions of this document shall prevail over anything contained in the AIA Documents or the Supplementary Conditions.

5. GREEN BUILDINGS MINIMUM ENERGY STANDARDS: In accordance with West Virginia Code § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: Provided, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

(Printed Name and Title) Thomas L. Morgan, PE, Director of Utility Services

(Address) 2302 South Fayette Street, Beckley, WV 25801

(Phone Number) / (Fax Number) 304-256-1640 X125 / 304-256-1617

(Email address) lmorgan@lagates.com

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that: I have reviewed this Solicitation/Contract in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation/Contract for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that this bid or offer was made without prior understanding, agreement, or connection with any entity submitting a bid or offer for the same material, supplies, equipment or services; that this bid or offer is in all respects fair and without collusion or fraud; that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; that I am authorized by the Vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on Vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law; and that pursuant to W. Va. Code 5A-3-63, the entity entering into this contract is prohibited from engaging in a boycott against Israel.

L.A. Gates Company, Inc.

(Company)

Thomas L. Morgan, PE

(Signature of Authorized Representative)

Thomas L. Morgan, PE, Director of Utility Services August 22, 2023

(Printed Name and Title of Authorized Representative) (Date)

304-256-1640 X125 / 304-256-1617

(Phone Number) (Fax Number)

lmorgan@lagates.com

(Email Address)

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

September 30, 2024

Jonathan R Holbert, PE
WVDEP/AML

RE: PROPOSAL – AML CONTRACT S1

Mr. Holbert,

The L.A. Gates Company is pleased to submit this proposal for engineering design services for the twelve (12) project sites for AML Contract S1. The scope, schedule, & estimates are included with this letter.

Projects:

Buffalo Trail Portals.....	\$163,933.00
Williamson (Lusk) LS.....	\$362,789.00
Holden (Curry) Drainage.....	\$273,636.00
Jennie Creek (Messer) Portals.....	\$205,886.00
Logan (Ratz) Drainage.....	\$166,911.00
Coaldale Coke Ovens and Drainage.....	\$465,437.00
Curtis Mine Openings.....	\$174,314.00
Rockhouse Fork Drainage.....	\$264,445.00
Switzer (Castle) Subsidence.....	\$222,289.00
Whitman (Long) Clogged Stream.....	\$206,289.00
Wyoming County LCAP.....	\$326,150.00
Fireco Site and Refuse.....	\$713,150.00
Grand total for Engineering Design Services.....	\$3,545,229.00

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

April 15, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Holden (Curry) Drainage
L.A. Gates: 23.162

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Holden (Curry) Drainage project consists of two dangerous impoundments (DI). DI-1 is pooling behind the Freewill Baptist Church and causes continuous water issues in the basement of the building. DI-2 is located near a Department of Highways (DOH) wingwall and draining water high in iron into the nearby receiving stream. The scope of work will be to investigate the sources of water and minimize the water issues they are causing.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE

Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying for the project will include drilling point locations, construction control, and topographic surveying. Data will be used for design of the access road for drilling and construction purposes around earthwork at the portals. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

Geotechnical analysis will be performed to calculate the water impoundment at each portal. This will be accomplished by installation of a stick mount 2" piezometer with locking cap within a concrete pad. For site access, the geotechnical crew will construct an access road, approximately 10'-12' in width, from the church lot to each portal location. Existing features will be utilized as much as possible. Due to the lack of obvious mapping and portal information, it is estimated that up to 6 exploratory drilling holes may be required to locate the mining void. We are estimating one piezometer at each portal location. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. A geotechnical investigation report will be provided to AML upon the completion of the work.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, sealing of all openings, controlled drainage to the nearest natural drainage area and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractor concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting

the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 90 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Holden (Curry) Drainage project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



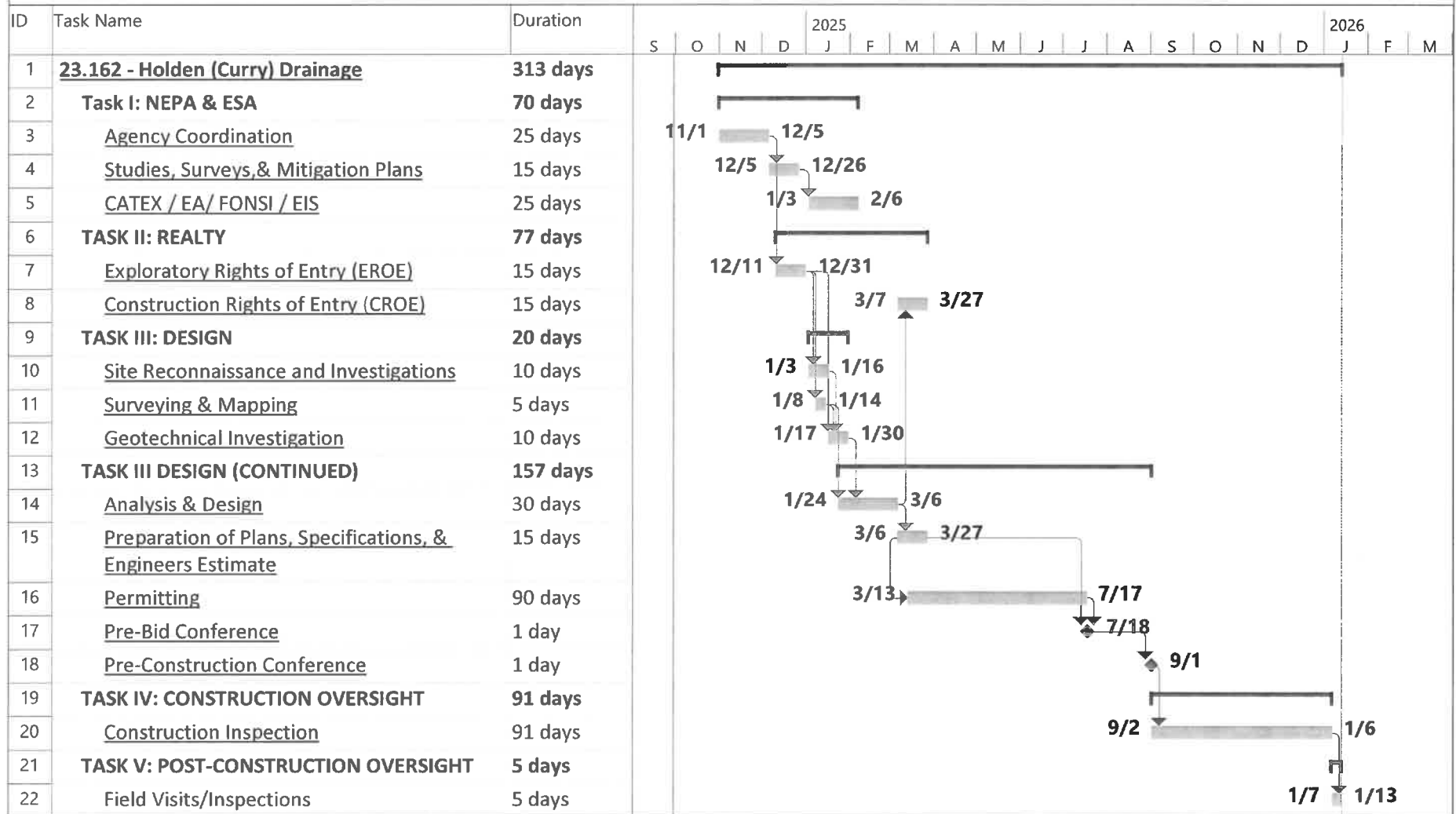
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



**HOLDEN (CURRY) DRAINAGE
AML CONTRACT S1
PROJECT TIMELINE**

JN 23.162



Project: 23.162_Schedule_03262

Date: Mon 9/30/24

Task

Milestone

Summary

Project Summary

Progress

Manual Progress

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 2 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: Holden (Curry) Drainage												
SCHEDULE PER CONTRACT						WORK COMPLETED						
						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST	
TASK 1: NEPA & ESA												
A	Agency Coordinations (including Office Work, AMLNET, etc.)											
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	12	\$125.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00	
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)											
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
C	Studies, Surveys & Mitigation Plans											
1	Project Manager / Senior Engineer	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	20	\$125.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00	
3	Bat Study	HR	0	\$3,500.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
D	CATEX / EA / FONSI / EIS											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	16	\$125.00	\$2,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	60	\$100.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 2 COST	\$28,613.00	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00

[illegible]

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1				Page 4 of 6 Pages	
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: Holden (Curry) Drainage						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN											
A	SITE RECONNAISSANCE AND INVESTIGATIONS										
1	Project Manager / Senior Engineer		HR	40	\$175.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer		HR	40	\$100.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage		Mile	600	\$0.67		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem		Day	3	\$59.00		\$0.00		\$0.00	0.0	\$0.00
B	SURVEYING & MAPPING										
1	Project Manager / Senior Engineer		HR	4	\$175.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer		HR	24	\$100.00		\$0.00		\$0.00	0.0	\$0.00
3	Professional Surveyor / Chief Surveyor		HR	8	\$130.00		\$0.00		\$0.00	0.0	\$0.00
4	Survey Crew		HR	20	\$130.00		\$0.00		\$0.00	0.0	\$0.00
5	Senior Technician		HR	10	\$95.00		\$0.00		\$0.00	0.0	\$0.00
6	Topographic, Planimetric and Check Surveying		Acre	0	\$0.00		\$0.00		\$0.00	0.0	\$0.00
7	Mileage		Mile	800	\$0.67		\$0.00		\$0.00	0.0	\$0.00
8	Per Diem		Day	4	\$59.00		\$0.00		\$0.00	0.0	\$0.00
C	GEOTECHNICAL INVESTIGATION										
1	Project Manager / Senior Engineer		HR	14	\$185.00		\$0.00		\$0.00	0.0	\$0.00
2	Geotechnical Engineer/Geologist		HR	14	\$175.00		\$0.00		\$0.00	0.0	\$0.00
3	Staff Engineer		HR	4	\$100.00		\$0.00		\$0.00	0.0	\$0.00
4	Mobilization / Demobilization		LS	1	\$5,000.00		\$0.00		\$0.00	0.0	\$0.00
5	Soil Augering		LF	100	\$38.00		\$0.00		\$0.00	0.0	\$0.00
6	Rock Coring		LF	400	\$55.00		\$0.00		\$0.00	0.0	\$0.00
7	3.25" H.S.A.and SPT Sampling		LF	80	\$30.00		\$0.00		\$0.00	0.0	\$0.00
8	Heavy Equipment		HR	50	\$150.00		\$0.00		\$0.00	0.0	\$0.00
9	Water Truck		Day	7	\$400.00		\$0.00		\$0.00	0.0	\$0.00
10	Marooka Track Truck		Day	7	\$1,000.00		\$0.00		\$0.00	0.0	\$0.00
11	Piezometer Installation		EA	2	\$250.00		\$0.00		\$0.00	0.0	\$0.00
12	Drill Crew Per Diem		Day	21	\$166.00		\$0.00		\$0.00	0.0	\$0.00
13	Reclamation		LS	1	\$2,840.00		\$0.00		\$0.00	0.0	\$0.00
14	Geotechnical Investigation Report		LS	1	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00
15	Mileage		Mile	800	\$0.67		\$0.00		\$0.00	0.0	\$0.00
16	Per Diem		Day	5	\$59.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL PAGE 4 COST	\$86,138.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00
AML-7A (Revised 7/5/2023)											

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 6 of 6 Pages

Project Name:	Holden (Curry) Drainage
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SCHEDULE PER CONTRACT

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET', AND PAGE NUMBERS CORRECTED AS NEEDED					
Commodity Line: N/A											
Project Name: N/A						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST

AML-7 (Revised 7/5/2023)

CONTRACT NAME: - Contract S1

GRAND TOTAL COST	\$273,636.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00	GRAND TOTAL TO DATE	\$0.00
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L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

September 16, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Curtis Mine Openings
L.A. Gates: 23.166

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above- referenced project. The estimate has been based on our field reviews of the project areas with your team, review of the preliminary plans completed by your office, and our understanding of the scope of services. The Curtis Mine Openings project consists of thirteen (13) portals, six (6) auger holes, and a dangerous impoundment (DI) discharging into the nearby Indian Creek. The project will be to identify each opening, contain the runoff, and seal the portals and auger holes. Project site is approximately 6 acres.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

A bat assessment will be required and performed by an approved consultant as required for the project. Environmental sampling has been excluded.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner

negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences. There is an ongoing litigation between adjacent property owners that will be considered when assembling the project documents.

Task III: Design – Considerable work was completed by AML staff and shall be integrated into the project. This task will include a detailed site visit to analyze alternatives and previous work completed. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying will be limited to check surveys and benchmarks. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

During site visitation with AML, it was determined that due to the opening and natural drainage around the site no impounded water would be encountered. Should a determination be made once more in-depth engineering has taken place, we can revisit the need for a piezometer or other geotechnical analysis.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, wet sealing of all openings, drainage of openings and management of runoff, and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. If necessary for each project, a West Virginia Department of Highway MM-109 permit will be completed for work in state roads rights-of-way. L.A. Gates will prepare and submit this permit in a timely manner so as not to affect construction scheduling. Initial plans are to avoid the need to work in the stream, eliminating the need for a USACOE permit.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting

the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 70 calendar days.

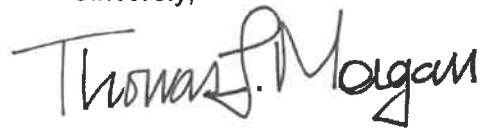
Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Curtis Mine Openings project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

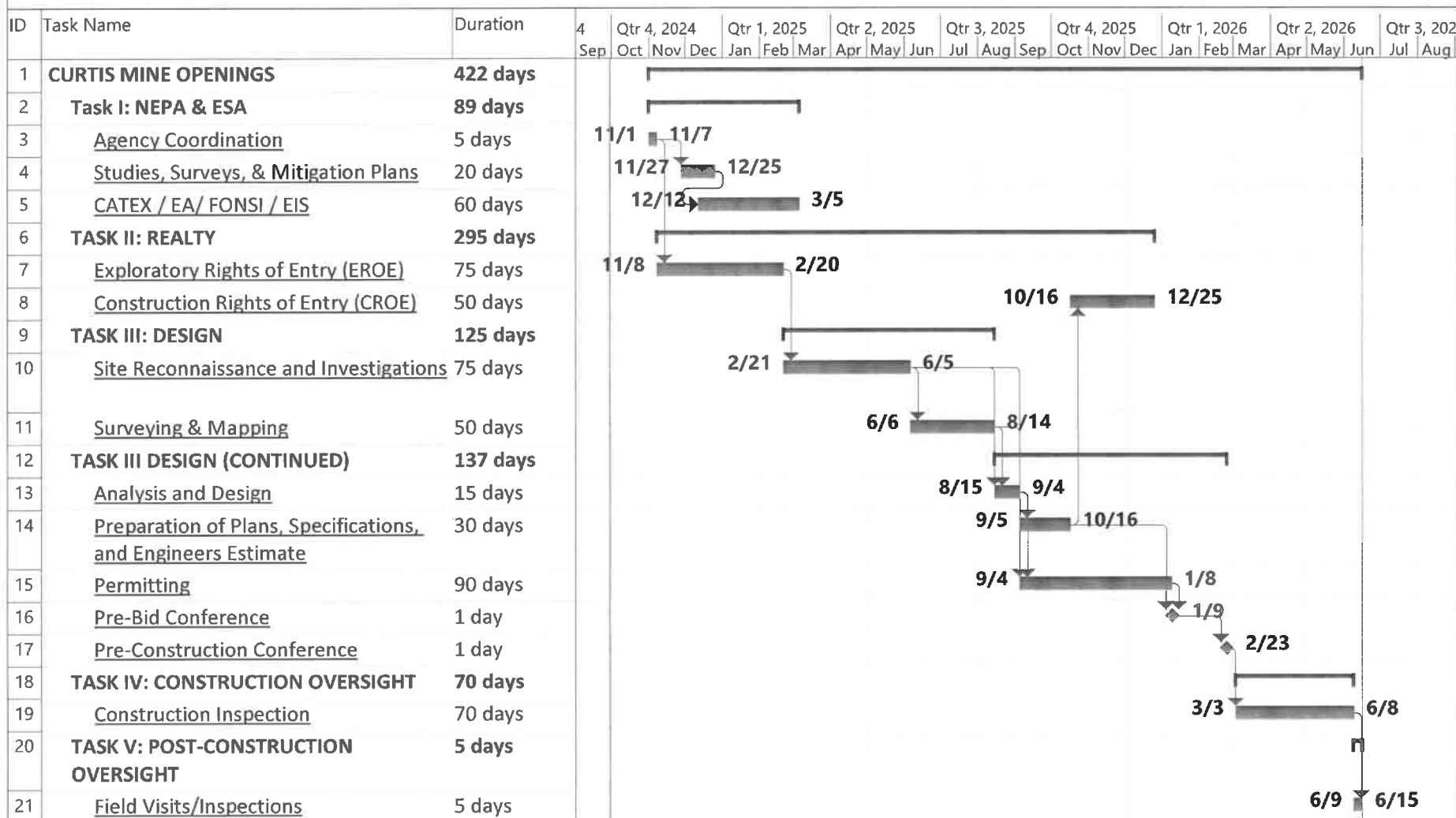
Attachments



L.A. Gates Company
Engineers & Consultants

CURTIS MINE OPENINGS AML CONTRACT S1 PROJECT TIMELINE

JN 23.166



Project: Buffalo Trail Portals_03
Date: Mon 9/30/24

Task

Milestone

Summary

Project Summary

Progress

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending

Application No.: 1

Page 2 of 6 Pages

Contract Name:	2023 AML Contract S1
-----------------------	-----------------------------

Commodity Line: 1

Project Name: CURTIS MINE OPENINGS

WORK COMPLETED

SCHEDULE PER CONTRACT

PREVIOUS

PREVIOUS BILLED

THIS

AMOUNT DUE THIS

TOTAL BILLED TO DATE

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page 3 of 6 Pages		
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: CURTIS MINE OPENINGS						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK II: REALTY											
A	Exploratory Rights of Entry (EROE)										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
2	Realty Agent				\$0.00						
a	Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
b	Field Reconnaissance / Landowner Correspondence	HR	24	\$100.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
c	Office Work / AMLNET	HR	32	\$60.00	\$1,920.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
B											
	Construction Rights of Entry (CROE)										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Realty Agent										
a	Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
b	Field Reconnaissance / Landowner Correspondence	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
c	Office Work / AMLNET	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
C											
	Pre-Bid Conference										
1	Realty Agent	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
D											
	Pre-Construction Conference										
1	Realty Agent	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
SUBTOTAL PAGE 3 COST					\$14,266.00	SUBTOTAL PAGE 3 PREVIOUS	\$0.00	SUBTOTAL PAGE 3 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 3 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1				Page 4 of 6 Pages		
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: CURTIS MINE OPENINGS						WORK COMPLETED						
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST	
TASK III: DESIGN												
A		SITE RECONNAISSANCE AND INVESTIGATIONS										
	1	Project Manager / Senior Engineer	HR	30	\$175.00	\$5,250.00	\$0.00		\$0.00	0.0	\$0.00	
	2	Staff Engineer	HR	30	\$100.00	\$3,000.00	\$0.00		\$0.00	0.0	\$0.00	
	3	Mileage	Mile	600	\$0.67	\$402.00	\$0.00		\$0.00	0.0	\$0.00	
	4	Per Diem	Day	3	\$59.00	\$177.00	\$0.00		\$0.00	0.0	\$0.00	
B		SURVEYING & MAPPING										
	1	Project Manager / Senior Engineer	HR	14	\$175.00	\$2,450.00	\$0.00		\$0.00	0.0	\$0.00	
	2	Staff Engineer	HR	6	\$100.00	\$600.00	\$0.00		\$0.00	0.0	\$0.00	
	3	Professional Surveyor / Chief Surveyor	HR	4	\$130.00	\$520.00	\$0.00		\$0.00	0.0	\$0.00	
	4	Survey Crew (2 Man)	HR	12	\$130.00	\$1,560.00	\$0.00		\$0.00	0.0	\$0.00	
	5	Survey Crew (3 Man)	HR	0	\$180.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	6	Senior Technician	HR	16	\$95.00	\$1,520.00	\$0.00		\$0.00	0.0	\$0.00	
	7	Topographic, Planimetric and Check Surveying	Acre	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	8	Mileage	Mile	400	\$0.67	\$268.00	\$0.00		\$0.00	0.0	\$0.00	
	9	Per Diem	Day	4	\$59.00	\$236.00	\$0.00		\$0.00	0.0	\$0.00	
C		GEOTECHNICAL INVESTIGATION										
	1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	2	Geotechnical Engineer/Geologist	HR	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	3	Mobilization / Demobilization	LS	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	4	Soil Augering	LF	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	5	Rock Coring	LF	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	6	Heavy Equipment	HR	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	7	Piezometer Installation	LF	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	8	Drill Crew Per Diem	Day	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	9	Reclamation	LS	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	10	Geotechnical Investigation Report	LS	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	11	Mileage	Mile	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	12	Per Diem	Day	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 4 COST	\$15,983.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00
AML-7A (Revised 7/5/2023)												

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 5 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: CURTIS MINE OPENINGS						WORK COMPLETED						
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST	
TASK III: DESIGN (CONTINUED)												
D	ANALYSIS AND DESIGN											
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Environmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
5	CADD Technician	HR	20	\$85.00	\$1,700.00		\$0.00		\$0.00	0.0	\$0.00	
E	PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Environmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
5	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
6	CADD Technician	HR	60	\$85.00	\$5,100.00		\$0.00		\$0.00	0.0	\$0.00	
F	PERMITTING											
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Environmental Scientist	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Clerical	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
G	PRE-BID CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
H	PRE-CONSTRUCTION CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 5 COST	\$49,969.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

Purchase Order No.:	Pending	Application No.:	1	Page 6 of 6 Pages
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Contract Name:	2023 AML Contract S1
Commodity Line:	1

Page 6 of 6 Pages

Commodity Line:	1
Project Name:	CURTIS MINE OPENINGS

WORK COMPLETED[illegible]

CURTIS MINE OPENINGS

\$174,314.00

\$0.00

\$0.00

\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS					
Commodity Line: N/A						EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET'. AND PAGE NUMBERS CORRECTED AS NEEDED					
Project Name: N/A						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST
CONTRACT NAME: - Contract S1						GRAND TOTAL COST	\$174,314.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00
										GRAND TOTAL TO DATE	\$0.00

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

April 15, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Whitman (Long) Clogged Stream
L.A. Gates: 23.169

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The stream in Whitman has been clogged by failing gabion baskets along its length (approximately 850 LF) from its source at the toe of the reclaimed refuse to the receiving stream. The project is to remove the failing gabion basket and stabilize the stream bed and sides along the length of the project.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE

Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Due to the nature of the project, conventional surveying will be conducted along the length of the project from natural bank to natural bank (approximately 80-foot width) to establish the stream bed and existing features along the project area. Control points and benchmarks necessary for construction will be located and marked on the plan sheets. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, stream bank establishment and stabilization and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. Coordination with the U.S. Army Corps of Engineers (USACOE) will be vital for this project and approval will be gained through their office prior to final plan development.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractor concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 120 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Whitman Clogged Stream project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



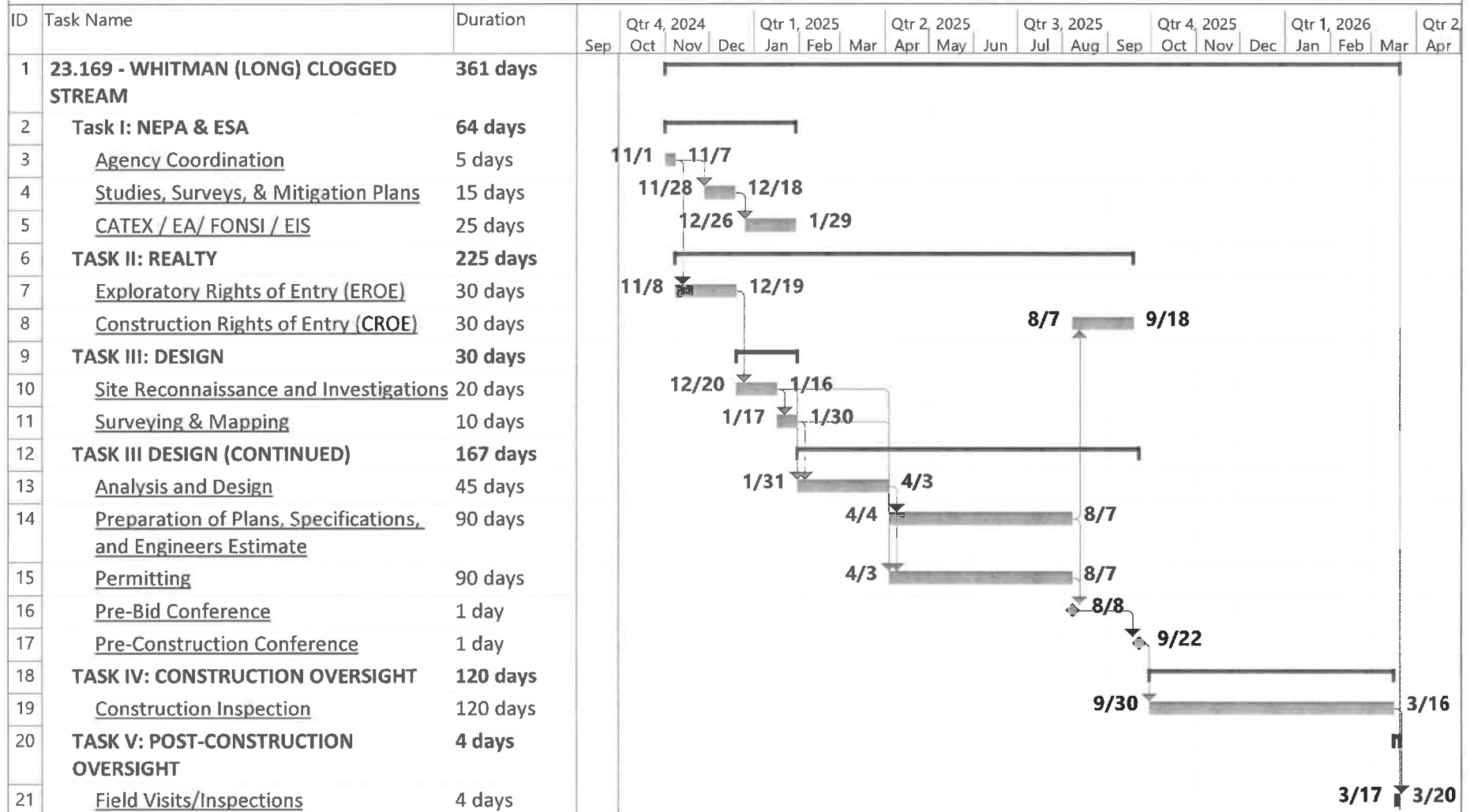
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



**WHITMAN (LONG) CLOGGED STREAM
AML CONTRACT S1
PROJECT TIMELINE**

JN 23.169



Project: Whitman Stream
Date: Mon 9/30/24

Task

Milestone

Summary

Project Summary

Progress

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1			Page 2 of 6 Pages			
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: WHITMAN (LONG) CLOGGED STREAM						WORK COMPLETED						
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST	
TASK 1: NEPA & ESA												
A	Agency Coordinations (including Office Work, AMLNET, etc.)											
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	12	\$125.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00	
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)											
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
C	Studies, Surveys & Mitigation Plans											
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Bat Study	HR	0	\$3,500.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
D	CATEX / EA / FONSI / EIS											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	40	\$125.00	\$5,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	60	\$100.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
5	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
6	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 2 COST	\$26,345.00	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 3 of 6 Pages

Project Name:	WHITMAN (LONG) CLOGGED STREAM
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SCHEDULE PER CONTRACT

TOTAL BILLED TO DATE

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION													
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT													
Purchase Order No.: Pending						Application No.: 1			Page 4 of 6 Pages				
Contract Name: 2023 AML Contract S1													
Commodity Line: 1													
Project Name: WHITMAN (LONG) CLOGGED STREAM						WORK COMPLETED							
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE			
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST	
TASK III: DESIGN													
A		SITE RECONNAISSANCE AND INVESTIGATIONS											
	1	Project Manager / Senior Engineer		HR	30	\$175.00	\$5,250.00	\$0.00		\$0.00	0.0	\$0.00	
	2	Staff Engineer		HR	30	\$100.00	\$3,000.00	\$0.00		\$0.00	0.0	\$0.00	
	3	Mileage		Mile	600	\$0.67	\$402.00	\$0.00		\$0.00	0.0	\$0.00	
	4	Per Diem		Day	3	\$59.00	\$177.00	\$0.00		\$0.00	0.0	\$0.00	
B		SURVEYING & MAPPING											
	1	Project Manager / Senior Engineer		HR	10	\$175.00	\$1,750.00	\$0.00		\$0.00	0.0	\$0.00	
	2	Staff Engineer		HR	24	\$100.00	\$2,400.00	\$0.00		\$0.00	0.0	\$0.00	
	3	Professional Surveyor / Chief Surveyor		HR	8	\$130.00	\$1,040.00	\$0.00		\$0.00	0.0	\$0.00	
	4	Survey Crew		HR	35	\$130.00	\$4,550.00	\$0.00		\$0.00	0.0	\$0.00	
	5	Senior Technician		HR	24	\$95.00	\$2,280.00	\$0.00		\$0.00	0.0	\$0.00	
	6	Topographic, Planimetric and Check Surveying		Acre	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	7	Mileage		Mile	400	\$0.67	\$268.00	\$0.00		\$0.00	0.0	\$0.00	
	8	Per Diem		Day	2	\$59.00	\$118.00	\$0.00		\$0.00	0.0	\$0.00	
C		GEOTECHNICAL INVESTIGATION											
	1	Project Manager / Senior Engineer		HR	0	\$175.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	2	Geotechnical Engineer/Geologist		HR	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	3	Mobilization / Demobilization		LS	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	4	Soil Augering		LF	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	5	Rock Coring		LF	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	6	Heavy Equipment		HR	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	7	Piezometer Installation		LF	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	8	Drill Crew Per Diem		Day	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	9	Reclamation		LS	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	10	Geotechnical Investigation Report		LS	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	11	Mileage		Mile	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
	12	Per Diem		Day	0	\$0.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00	
AML-7A (Revised 7/5/2023)						SUBTOTAL PAGE 4 COST	\$21,235.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION														
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT														
Purchase Order No.: Pending						Application No.: 1			Page 5 of 6 Pages					
Contract Name: 2023 AML Contract S1														
Commodity Line: I														
Project Name: WHITMAN (LONG) CLOGGED STREAM						WORK COMPLETED								
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE				
TASK	DESCRIPTION				UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST		
TASK III: DESIGN (CONTINUED)														
D			ANALYSIS AND DESIGN											
	1		Project Manager / Senior Engineer			HR	24	\$175.00	\$4,200.00		\$0.00	\$0.00		
	2		Geotechnical Engineer			HR	0	\$0.00	\$0.00		\$0.00	\$0.00		
	3		Enviornmental Specialist			HR	0	\$0.00	\$0.00		\$0.00	\$0.00		
	4		Staff Engineer			HR	40	\$100.00	\$4,000.00		\$0.00	\$0.00		
	5		CADD Technician			HR	40	\$85.00	\$3,400.00		\$0.00	\$0.00		
E			PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE											
	1		Project Manager / Senior Engineer			HR	24	\$175.00	\$4,200.00		\$0.00	\$0.00		
	2		Geotechnical Engineer			HR	0	\$0.00	\$0.00		\$0.00	\$0.00		
	3		Enviornmental Specialist			HR	0	\$0.00	\$0.00		\$0.00	\$0.00		
	4		Clerical			HR	40	\$60.00	\$2,400.00		\$0.00	\$0.00		
	5		Staff Engineer			HR	80	\$100.00	\$8,000.00		\$0.00	\$0.00		
	6		CADD Technician			HR	80	\$85.00	\$6,800.00		\$0.00	\$0.00		
F			PERMITTING											
	1		Project Manager / Senior Engineer			HR	60	\$175.00	\$10,500.00		\$0.00	\$0.00		
	2		Engineer / Environmental Scientist			HR	150	\$100.00	\$15,000.00		\$0.00	\$0.00		
	3		Clerical			HR	24	\$60.00	\$1,440.00		\$0.00	\$0.00		
	4		Mileage			Mile	400	\$0.67	\$268.00		\$0.00	\$0.00		
	5		Per Diem			Day	0	\$59.00	\$0.00		\$0.00	\$0.00		
G			PRE-BID CONFERENCE											
	1		Project Manager / Senior Engineer			HR	10	\$175.00	\$1,750.00		\$0.00	\$0.00		
	2		Mileage			Mile	200	\$0.67	\$134.00		\$0.00	\$0.00		
	3		Per Diem			Day	1	\$59.00	\$59.00		\$0.00	\$0.00		
H			PRE-CONSTRUCTION CONFERENCE											
	1		Project Manager / Senior Engineer			HR	10	\$175.00	\$1,750.00		\$0.00	\$0.00		
	2		Construction Inspector			HR	10	\$90.00	\$900.00		\$0.00	\$0.00		
	3		Mileage			Mile	400	\$0.67	\$268.00		\$0.00	\$0.00		
							SUBTOTAL PAGE 5 COST	\$65,069.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00
AML-7A (Revised 7/5/2023)														

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION													
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT													
Purchase Order No.: Pending						Application No.: 1				Page X of X Pages			
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET', AND PAGE NUMBERS CORRECTED AS NEEDED							
Commodity Line: N/A													
Project Name: N/A						WORK COMPLETED							
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE			
TASK	DESCRIPTION					UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST

AML-7 (Revised 7/5/2023)

CONTRACT NAME: _ Contract S1

GRAND TOTAL COST	\$206,292.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00	GRAND TOTAL TO DATE	\$0.00
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L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

April 15, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Logan (Ratz) Portals
L.A. Gates: 23.164

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Logan (Ratz) project consists of three (3) dangerous impoundments with evidence of draining in close proximity to a home and garage. The project will be to analyze the portals for the construction of portal seals and drainage control.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will

be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying for the project will include establishing construction control and topographic surveying needed for the design around the portals and drainage off of the site. For this site, conventional survey will be utilized. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

Pursuant to our site visits, the portals do not appear to be draining currently. For this reason, we have not included a geotechnical subconsultant for the installation of a piezometer. Should site conditions change, we will revisit this part of the project.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, wet sealing of all openings, drainage of openings and management of runoff, and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. If necessary, a West Virginia Department of Highway MM-109 permit will be completed for work in state roads rights-of-way. L.A. Gates will prepare and submit this permit in a timely manner so as not to affect construction scheduling.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the

conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 70 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Jeanie Creek Portals project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



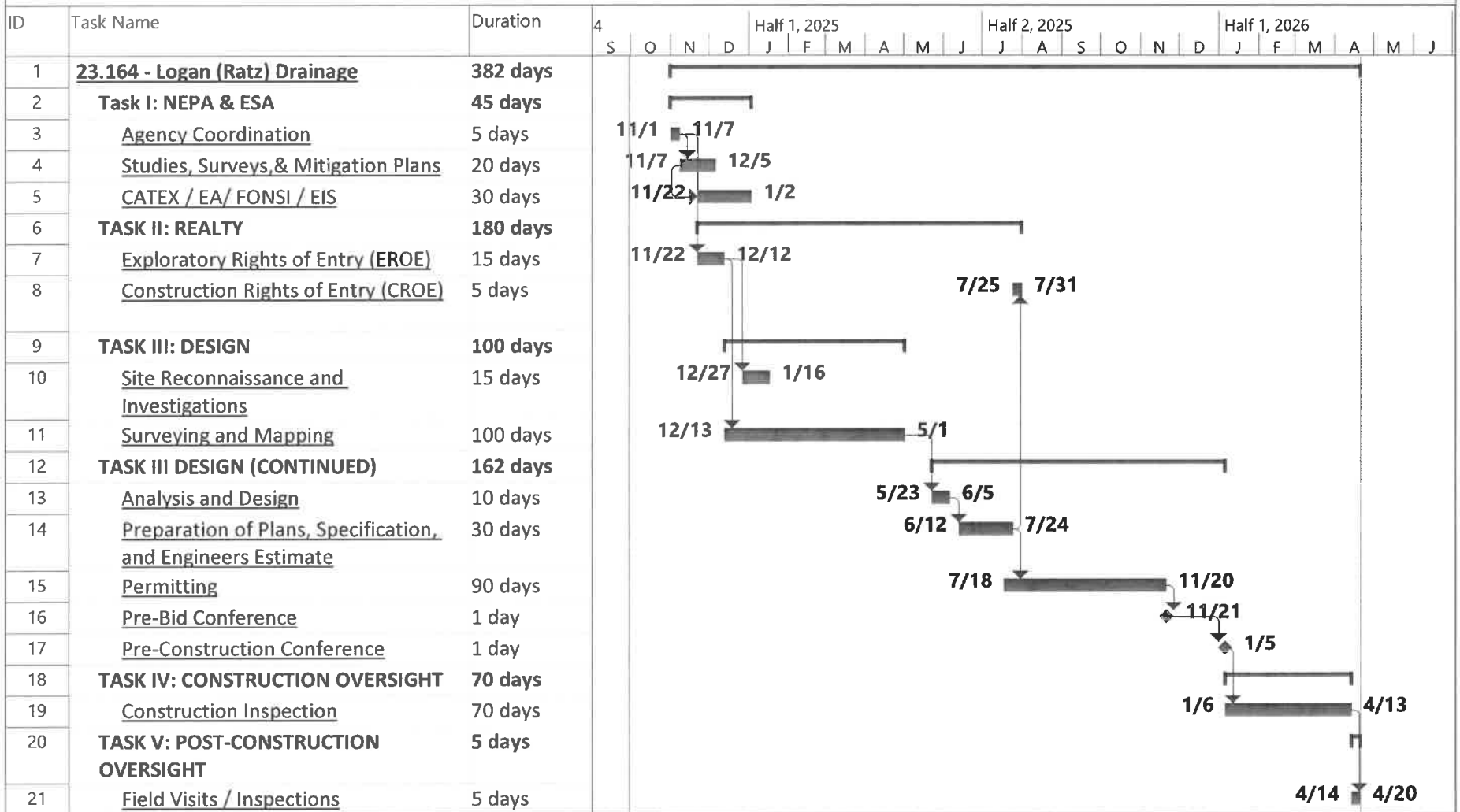
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



**LOGAN (RATZ) DRAINAGE
AML CONTRACT S1
PROJECT TIMELINE**

JN. 23.164



Project: 23.163_Schedule_03272
Date: Mon 9/30/24

Task

Milestone

Summary

Progress

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 2 of 6 Pages

Project Name:	Logan (Ratz)Drainage
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SCHEDULE PER CONTRACT

TOTAL BILLED TO DATE

COST

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	SUBTOTAL PAGE 2 TO DATE
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CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 3 of 6 Pages

Project Name:	Logan (Ratz)Drainage
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TOTAL BILLED TO DATE

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 4 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: Logan (Ratz)Drainage												
SCHEDULE PER CONTRACT						WORK COMPLETED						
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS COST		
TASK III: DESIGN												
A	SITE RECONNAISSANCE AND INVESTIGATIONS											
1	Project Manager / Senior Engineer	HR	30	\$175.00	\$5,250.00		\$0.00		\$0.00	0.0	\$0.00	
2	Staff Engineer	HR	30	\$100.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00	
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00	
B	SURVEYING & MAPPING											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Staff Engineer	HR	12	\$100.00	\$1,200.00		\$0.00		\$0.00	0.0	\$0.00	
3	Professional Surveyor / Chief Surveyor	HR	8	\$130.00	\$1,040.00		\$0.00		\$0.00	0.0	\$0.00	
4	Survey Crew	HR	24	\$130.00	\$3,120.00		\$0.00		\$0.00	0.0	\$0.00	
5	Senior Technician	HR	10	\$95.00	\$950.00		\$0.00		\$0.00	0.0	\$0.00	
6	Topographic, Planimetric and Check Surveying	Acre	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
7	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00	
8	Per Diam	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00	
C	GEOTECHNICAL INVESTIGATION											
1	Project Manager / Senior Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer/Geologist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mobilization / Demobilization	LS	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Soil Augering	LF	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
5	Rock Coring	LF	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
6	Heavy Equipment	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
7	Piezometer Installation	LF	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
8	Drill Crew Per Diem	Day	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
9	Reclamation	LS	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
10	Geotechnical Investigation Report	LS	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
11	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
12	Per Diem	Day	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
				SUBTOTAL PAGE 4 COST	\$20,111.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00	

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1				Page 5 of 6 Pages	
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: Logan (Ratz)Drainage						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	
TASK III: DESIGN (CONTINUED)											
D		ANALYSIS AND DESIGN									
	1	Project Manager / Senior Engineer	HR	36	\$175.00	\$6,300.00		\$0.00		\$0.00	0.0 \$0.00
	2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
	3	Enviornmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
	4	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0 \$0.00
	5	CADD Technician	HR	80	\$85.00	\$6,800.00		\$0.00		\$0.00	0.0 \$0.00
E		PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE									
	1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0 \$0.00
	2	Geotechnical Engineer	HR	0		\$0.00		\$0.00		\$0.00	0.0 \$0.00
	3	Enviornmental Specialist	HR	0		\$0.00		\$0.00		\$0.00	0.0 \$0.00
	4	Clerical	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0 \$0.00
	4	Staff Engineer	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0 \$0.00
	5	CADD Technician	HR	120	\$85.00	\$10,200.00		\$0.00		\$0.00	0.0 \$0.00
F		PERMITTING									
	1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0 \$0.00
	2	Engineer / Environmental Scientist	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0 \$0.00
	3	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0 \$0.00
	4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0 \$0.00
	5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
G		PRE-BID CONFERENCE									
	1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0 \$0.00
	2	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0 \$0.00
	3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0 \$0.00
H		PRE-CONSTRUCTION CONFERENCE									
	1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0 \$0.00
	2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0 \$0.00
	3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0 \$0.00
					SUBTOTAL PAGE 5 COST	\$56,229.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE \$0.00
AML 7A (Revised 7/5/2023)											

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 6 of 6 Pages

Project Name:	Logan (Ratz)Drainage
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SCHEDULE PER CONTRACT

Logan (Ratz) Drainage

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET'. AND PAGE NUMBERS CORRECTED AS NEEDED					
Commodity Line: N/A											
Project Name: N/A						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION				UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	COST

CONTRACT NAME:L Contract S1

GRAND TOTAL COST	\$166,911.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00	GRAND TOTAL TO DATE	\$0.00
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L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 26, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Switzer (Castle) Sub
L.A. Gates: 23.168

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Switzer project consists of two collapsed portals and a subsidence near a residence. The residence has some foundation cracking and some medium to large cracks have been noted near the site. We will identify the location of the portals and address any drainage associated. The cracks will be located and the mining below will be filled to minimize future subsidence. Surface cracks will be filled and dressed.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE

Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying will include a survey of the site location surrounding the existing residence and areas of known subsidence. Survey will also locate the existing portal locations in detail to use in overlaying mine mapping to assist in the exploratory drilling locations needed to locate both voids contributing to the surface subsidence of the area. It was also noted that there has been surface cracking in the immediate vicinity that will be located for restoration with the project. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified. Should the portals or project fall on an intersection of property lines, we have added time for additional survey to field located the property line and portal/improvements locations.

Geotechnical work will include clearing of an area adjacent to the resident for exploratory drilling to locate the voids beneath the surface. Previous drilling activity noted one void approximately 100' below the surface. It is estimated that up to six (6) drilling cores may be needed to identify the voids. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. A report will be given identifying the depth and location of all drilling and findings.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control and addressing the voids. It is anticipated that the voids can be filled from the surface. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting

the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 90 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Switzer (Castle) Subsidence project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



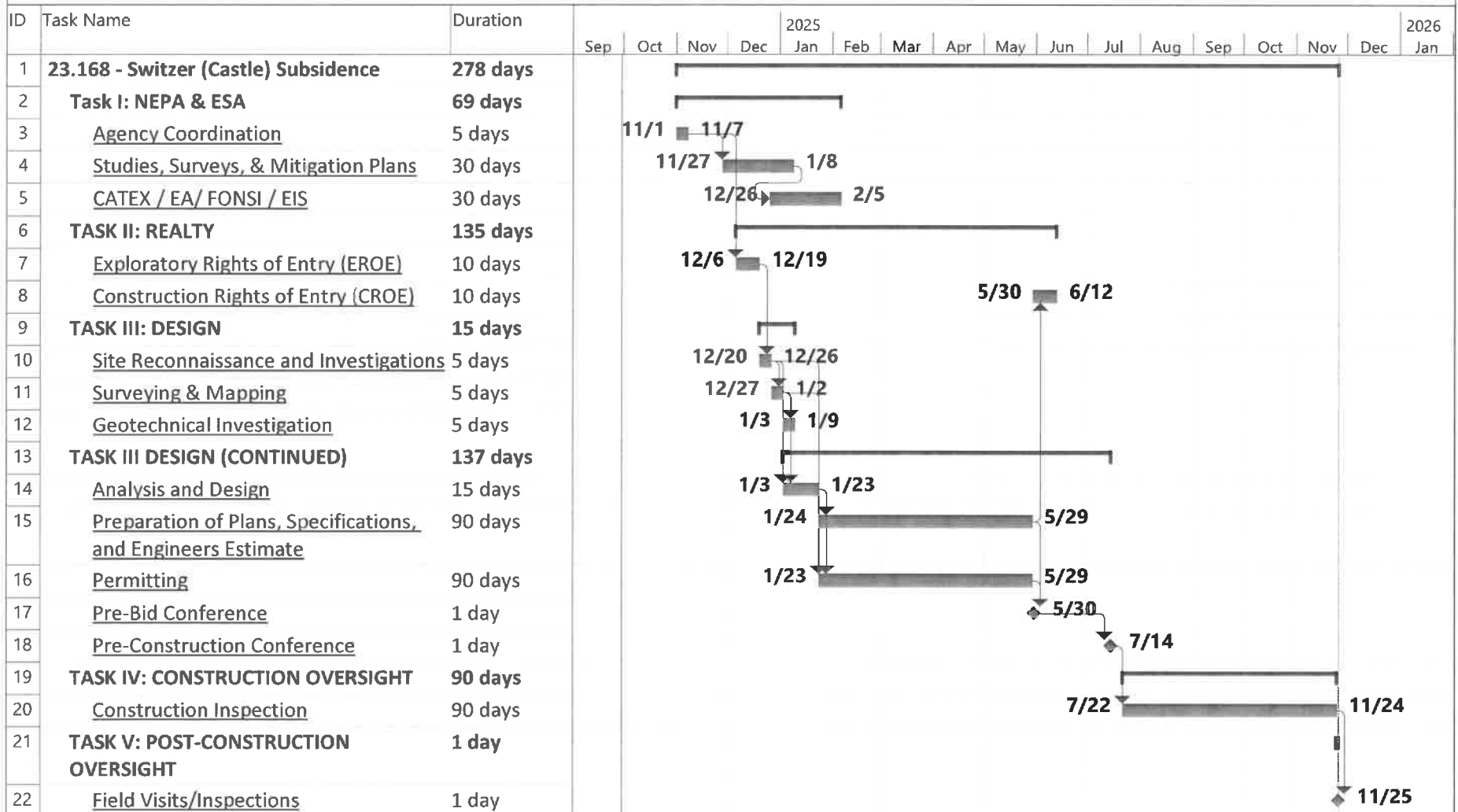
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



SWITZER (CASTLE) SUBSIDENCE
AML CONTRACT S1
PROJECT TIMELINE

JN 23.168



Project: Switzer (Castle) Subside
Date: Mon 9/30/24

Task

Milestone



Summary

Project Summary



Progress

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page 2 of 6 Pages		
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: SWITZER (CASTLE) SUBSIDENCE						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK 1: NEPA & ESA											
A	Agency Coordinations (including Office Work, AMLNET, etc.)										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	12	\$125.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)										
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
C	Studies, Surveys & Mitigation Plans										
1	Project Manager / Senior Engineer	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	20	\$125.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00
3	Bat Study	HR	0	\$3,500.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
D	CATEX / EA / FONSI / EIS										
1	Project Manager / Senior Engineer	HR	12	\$175.00	\$2,100.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	16	\$125.00	\$2,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL PAGE 2 COST	\$22,713.00	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00
AML-7A (Revised 7/5/2023)											

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page 4 of 6 Pages		
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: SWITZER (CASTLE) SUBSIDENCE											
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN											
A	SITE RECONNAISSANCE AND INVESTIGATIONS										
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	24	\$100.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00
B	SURVEYING & MAPPING										
1	Project Manager / Senior Engineer	HR	14	\$175.00	\$2,450.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	24	\$100.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Professional Surveyor / Chief Surveyor	HR	4	\$130.00	\$520.00		\$0.00		\$0.00	0.0	\$0.00
4	Survey Crew (2 Man)	HR	20	\$130.00	\$2,600.00		\$0.00		\$0.00	0.0	\$0.00
5	Survey Crew (3 Man)	HR	11	\$180.00	\$1,980.00		\$0.00		\$0.00	0.0	\$0.00
6	Senior Technician	HR	18	\$95.00	\$1,710.00		\$0.00		\$0.00	0.0	\$0.00
7	Topographic, Planimetric and Check Surveying	Acre	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
8	Mileage	Mile	400	\$1.00	\$400.00		\$0.00		\$0.00	0.0	\$0.00
9	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00
C	GEOTECHNICAL INVESTIGATION										
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00
2	Geotechnical Engineer/Geologist	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
3	Staff Engineer	HR	48	\$100.00	\$4,800.00		\$0.00		\$0.00	0.0	\$0.00
4	Mobilization / Demobilization	LS	1	\$2,500.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00
5	Soil Augering	LF	40	\$30.00	\$1,200.00		\$0.00		\$0.00	0.0	\$0.00
6	Rock Coring	LF	400	\$55.00	\$22,000.00		\$0.00		\$0.00	0.0	\$0.00
7	Water Truck	Day	6	\$400.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
8	Truck	Day	13	\$200.00	\$2,600.00		\$0.00		\$0.00	0.0	\$0.00
9	Drill Crew Per Diem	Day	18	\$166.00	\$2,988.00		\$0.00		\$0.00	0.0	\$0.00
10	Crushed Stone	TON	10	\$45.00	\$450.00		\$0.00		\$0.00	0.0	\$0.00
11	Reclamation	LS	1	\$1,690.00	\$1,690.00		\$0.00		\$0.00	0.0	\$0.00
12	Geotechnical Investigation Report	LS	1	\$2,500.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00
13	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00
14	Per Diem	Day	6	\$59.00	\$354.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL	\$68,393.00	SUBTOTAL	\$0.00	SUBTOTAL	\$0.00	SUBTOTAL	\$0.00
				PAGE 4 COST		PAGE 4 PREVIOUS		PAGE 4 THIS APPLICATION		PAGE 4 TO DATE	

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1				Page 5 of 6 Pages		
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: SWITZER (CASTLE) SUBSIDENCE						WORK COMPLETED						
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN (CONTINUED)												
D		ANALYSIS AND DESIGN										
	1	Project Manager / Senior Engineer		HR	40	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	2	Geotechnical Engineer		HR	0	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	3	Enviornmental Specialist		HR	0	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	4	Staff Engineer		HR	40	\$100.00		\$0.00		\$0.00	0.0	\$0.00
	5	CADD Technician		HR	40	\$85.00		\$0.00		\$0.00	0.0	\$0.00
E		PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE										
	1	Project Manager / Senior Engineer		HR	24	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	2	Geotechnical Engineer		HR	0	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	3	Enviornmental Specialist		HR	0	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	4	Staff Engineer		HR	60	\$100.00		\$0.00		\$0.00	0.0	\$0.00
	5	CADD Technician		HR	80	\$85.00		\$0.00		\$0.00	0.0	\$0.00
F		PERMITTING										
	1	Project Manager / Senior Engineer		HR	24	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	2	Engineer / Environmental Scientist		HR	60	\$100.00		\$0.00		\$0.00	0.0	\$0.00
	3	Clerical		HR	40	\$60.00		\$0.00		\$0.00	0.0	\$0.00
	4	Mileage		Mile	400	\$0.67		\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem		Day	0	\$59.00		\$0.00		\$0.00	0.0	\$0.00
G		PRE-BID CONFERENCE										
	1	Project Manager / Senior Engineer		HR	10	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	2	Mileage		Mile	200	\$0.67		\$0.00		\$0.00	0.0	\$0.00
	3	Per Diem		Day	1	\$59.00		\$0.00		\$0.00	0.0	\$0.00
H		PRE-CONSTRUCTION CONFERENCE										
	1	Project Manager / Senior Engineer		HR	10	\$175.00		\$0.00		\$0.00	0.0	\$0.00
	2	Construction Inspector		HR	10	\$90.00		\$0.00		\$0.00	0.0	\$0.00
	3	Mileage		Mile	400	\$0.67		\$0.00		\$0.00	0.0	\$0.00
					SUBTOTAL PAGE 5 COST	\$49,129.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00

AML-7A (Revised 7/5/2023)

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Project Name: SWITZER (CASTLE) SUBSIDENCE

Page 6 of 6 Pages

SUBTOTAL PAGE 6 COST	\$64,188.00	SUBTOTAL PAGE 6 PREVIOUS	\$0.00	SUBTOTAL PAGE 6 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 6 TO DATE	\$0.00
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SWITZER (CASTLE) SUBSIDENCE

PROJECT TOTAL COST	\$222,289.00	PROJECT TOTAL PREVIOUS	\$0.00	PROJECT TOTAL THIS APPLICATION	\$0.00	PROJECT TOTAL TO DATE	\$0.00
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L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 26, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Rockhouse Fork
L.A. Gates: 23.167

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Rockhouse project consists of a dangerous impoundment (DI) heavily draining along a fence line between two residences. The flow follows a small ditch line to a road culvert where it is continuously pooling. Across the road, the stream is clogged and has created a flooding issue both for the roadway and nearby church area. The project would be to identify the impoundment and replace the currently draining seal. The flowing water will be directed across the road and the stream unclogged to allow unimpeded flow to the receiving stream (Rockhouse Fork).

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the

time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying for the project will include location survey for the purpose of drilling for portal location. Benchmarks will be set and additional site features necessary for construction will be identified and located. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified. Should the portals or project fall on an intersection of property lines, we have added time for additional survey to field located the property line and portal/improvements locations.

Geotechnical analysis will be performed to calculate the water impoundment at the portal. This will be accomplished by installation of a stick mount 2" piezometer with locking cap in a concrete pad. For site access, the geotechnical crew will construct an access road, approximately 10'-12' in width, to the area above the assumed portal location. Existing features will be utilized as much as possible. Due to the lack of obvious mapping and portal information, it is estimated that up to 4 exploratory drilling holes may be required to located the mining void. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. We are estimating one piezometer at each portal location. A geotechnical investigation report will be provided to AML upon the completion of the work.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, wet sealing of mine portal, drainage of openings and management of runoff, existing runoff ditching and ponding correction, and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. A West Virginia Department of Highway MM-109 permit will be completed for work in state roads rights-of-way. L.A. Gates will prepare and submit this permit in a timely manner so as not to affect construction scheduling.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 75 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Rockhouse Fork Drainage project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



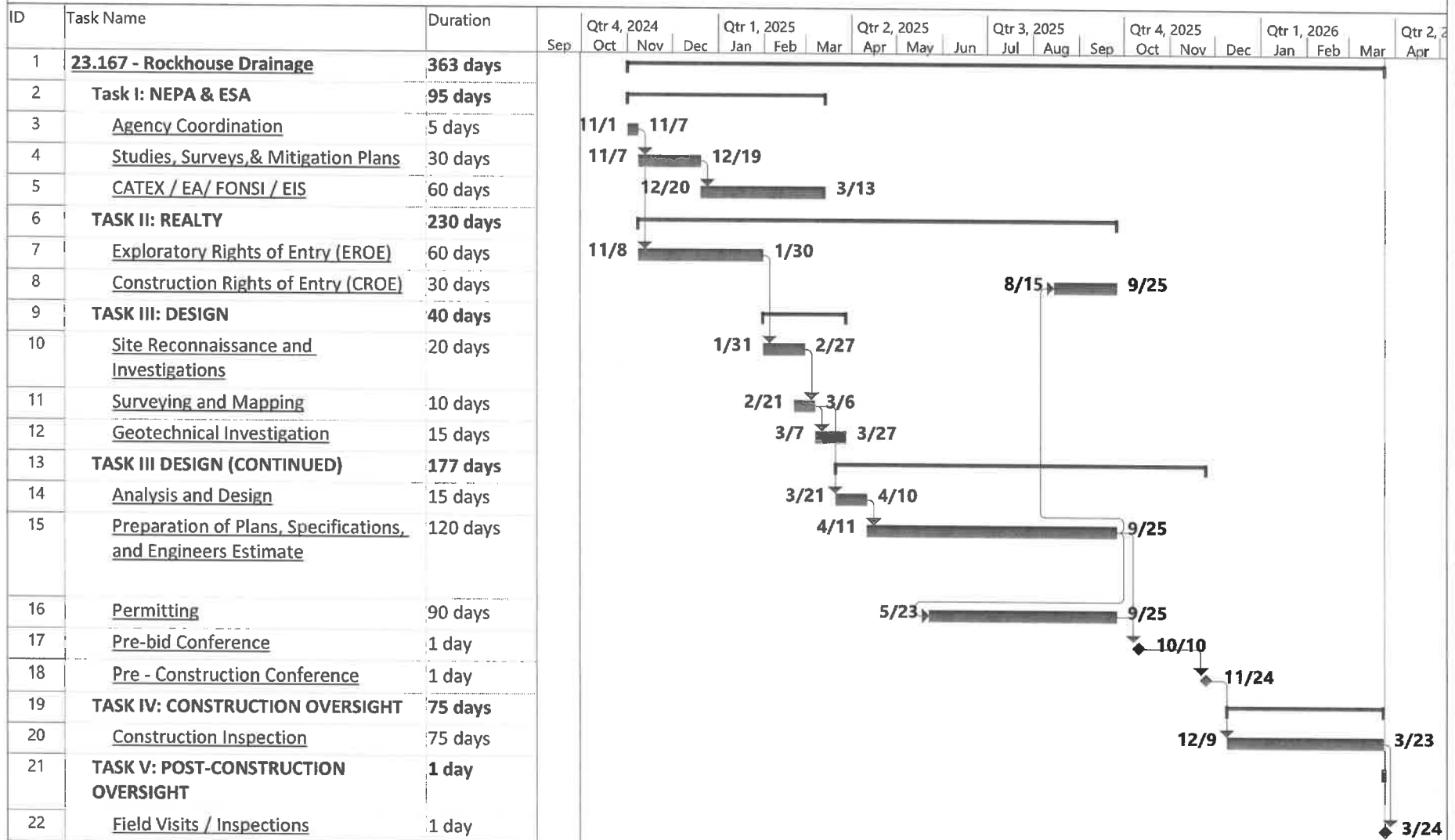
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



**ROCKHOUSE DRAINAGE
AML CONTRACT S1
PROJECT TIMELINE**

JN. 23.167



Project: 23.163_Schedule_03272
Date: Mon 9/30/24

Task



Milestone



Summary



Progress



WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1			Page 2 of 6 Pages			
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: ROCKHOUSE (CAUDILL) DRAINAGE						WORK COMPLETED						
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST	
TASK I: NEFA & ESA												
A	Agency Coordinations (including Office Work, AMLNET, etc.)											
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	12	\$125.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00	
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)											
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
C	Studies, Surveys & Mitigation Plans											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	20	\$125.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00	
3	Bat Study	HR	0	\$3,500.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
D	CATEX / EA / FONSI / EIS											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	16	\$125.00	\$2,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Clerical	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0	\$0.00	
5	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00	
6	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 2 COST	\$27,798.00	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page 3 of 6 Pages		
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: ROCKHOUSE (CAUDILL) DRAINAGE						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK II: REALTY											
A	Exploratory Rights of Entry (EROE)										
1	Project Manager / Senior Engineer	HR	30	\$175.00	\$5,250.00		\$0.00		\$0.00	0.0	\$0.00
2	Realty Agent				\$0.00						
a	Courthouse Work	HR	30	\$100.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
b	Field Reconnaissance / Landowner Correspondence	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
c	Office Work / AMLNET	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00
B	Construction Rights of Entry (CROE)										
1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00		\$0.00		\$0.00	0.0	\$0.00
2	Realty Agent										
a	Courthouse Work	HR	20	\$100.00	\$2,000.00		\$0.00		\$0.00	0.0	\$0.00
b	Field Reconnaissance / Landowner Correspondence	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
c	Office Work / AMLNET	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00
C	Pre-Bid Conference										
1	Realty Agent	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
D	Pre-Construction Conference										
1	Realty Agent	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL PAGE 3 COST	\$25,308.00	SUBTOTAL PAGE 3 PREVIOUS	\$0.00	SUBTOTAL PAGE 3 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 3 TO DATE	\$0.00

AML-7A (Revised 7/5/2023)

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 4 of 6 Pages			
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: ROCKHOUSE (CAUDILL) DRAINAGE						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN											
A	SITE RECONNAISSANCE AND INVESTIGATIONS										
1	Project Manager / Senior Engineer	HR	30	\$175.00	\$5,250.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00
B	SURVEYING & MAPPING										
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	10	\$100.00	\$1,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Professional Surveyor / Chief Surveyor	HR	12	\$130.00	\$1,560.00		\$0.00		\$0.00	0.0	\$0.00
4	Survey Crew (2 Man)	HR	24	\$130.00	\$3,120.00		\$0.00		\$0.00	0.0	\$0.00
5	Survey Crew (3 Man)	HR	0	\$180.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
6	Senior Technician	HR	16	\$95.00	\$1,520.00		\$0.00		\$0.00	0.0	\$0.00
7	Topographic, Planimetric and Check Surveying	Acre	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
8	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
9	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00
C	GEOTECHNICAL INVESTIGATION										
1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00		\$0.00		\$0.00	0.0	\$0.00
2	Geotechnical Engineer/Geologist	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
	Staff Engineer	HR	34	\$100.00	\$3,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Mobilization / Demobilization	LS	1	\$2,250.00	\$2,250.00		\$0.00		\$0.00	0.0	\$0.00
4	Soil Augering	LF	60	\$30.00	\$1,800.00		\$0.00		\$0.00	0.0	\$0.00
5	Rock Coring	LF	240	\$55.00	\$13,200.00		\$0.00		\$0.00	0.0	\$0.00
6	Heavy Equipment	HR	20	\$150.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
	Water Truck	Day	3	\$400.00	\$1,200.00		\$0.00		\$0.00	0.0	\$0.00
	Marooka Track Truck	Day	3	\$1,000.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
	Company Truck	Day	3	\$200.00	\$600.00		\$0.00		\$0.00	0.0	\$0.00
	UTV Side by Side	Day	3	\$150.00	\$450.00		\$0.00		\$0.00	0.0	\$0.00
7	Piezometer Installation	LF	75	\$38.00	\$2,850.00		\$0.00		\$0.00	0.0	\$0.00
	PZ Stickup Mount in Concrete Pad	EA	1	\$250.00	\$250.00		\$0.00		\$0.00	0.0	\$0.00
8	Drill Crew Per Diem	Day	12	\$166.00	\$1,992.00		\$0.00		\$0.00	0.0	\$0.00
9	Reclamation	LS	1	\$1,470.00	\$1,470.00		\$0.00		\$0.00	0.0	\$0.00
10	Geotechnical Investigation Report	LS	1	\$1,500.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00
11	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
12	Per Diem	Day	6	\$59.00	\$354.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL	\$61,335.00	SUBTOTAL	\$0.00	SUBTOTAL	\$0.00	SUBTOTAL	\$0.00
				PAGE 4 COST		PAGE 4 PREVIOUS		PAGE 4 THIS APPLICATION		PAGE 4 TO DATE	

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 5 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: ROCKHOUSE (CAUDILL) DRAINAGE												
SCHEDULE PER CONTRACT						WORK COMPLETED						
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS COST		
TASK III: DESIGN (CONTINUED)												
D	ANALYSIS AND DESIGN											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Environmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Staff Engineer	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00	
5	CADD Technician	HR	40	\$85.00	\$3,400.00		\$0.00		\$0.00	0.0	\$0.00	
E	PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE											
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Environmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Staff Engineer	HR	120	\$100.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00	
5	CADD Technician	HR	120	\$85.00	\$10,200.00		\$0.00		\$0.00	0.0	\$0.00	
6	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
F	PERMITTING											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Environmental Scientist	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
G	PRE-BID CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
H	PRE-CONSTRUCTION CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 5 COST	\$67,197.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending

Application No.: 1

Page 6 of 6 Pages

Contract Name:	2023 AML Contract S1
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Commodity Line:	1
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Project Name:	ROCKHOUSE (CAUDILL) DRAINAGE
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WORK COMPLETED	
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SCHEDULE PER CONTRACT	
1	10/1/2018
2	10/1/2018
3	10/1/2018
4	10/1/2018
5	10/1/2018
6	10/1/2018
7	10/1/2018
8	10/1/2018
9	10/1/2018
10	10/1/2018
11	10/1/2018
12	10/1/2018
13	10/1/2018
14	10/1/2018
15	10/1/2018
16	10/1/2018
17	10/1/2018
18	10/1/2018
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99	10/1/2018
100	10/1/2018

PREVIOUS

PREVIOUS BILLED

THIS
APPLICATION

AMOUNT DUE THIS APPLICATION

TOTAL BILLED TO DATE

TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
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TASK IV: CONSTRUCTION OVERSIGHT	
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[illegible]

1	Project Manager / Senior Engineer	HR	70	\$175.00	\$12,250.00	\$0.00	\$0.00	0.0	\$0.00
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[illegible]

		a	Construction Inspection	HR	700	\$90.00	\$63,000.00		\$0.00		\$0.00	0.0	\$0.00
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	b	Office Work / AMLNET	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
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	c	Mileage	Mile	700	\$0.67	\$469.00		\$0.00		\$0.00	0.0	\$0.00
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	d	Per Diem	Day	30	\$59.00	\$1,770.00		\$0.00		\$0.00	0.0	\$0.00
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[illegible]

TASK V: POST-CONSTRUCTION OVERSIGHT		
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[illegible]

1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
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2	Construction Inspector	HR	10	\$90.00	\$900.00	\$0.00	\$0.00	0.0	\$0.00
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3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00	\$0.00	0.0	\$0.00
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[illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible]

SUBTOTAL PAGE 6 COST	\$82,807.00	SUBTOTAL PAGE 6 PREVIOUS	\$0.00	SUBTOTAL PAGE 6 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 6 TO DATE	\$0.00
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AML-7A (Revised 7/5/2023) ROCKHOUSE (CAUDILL) DRAINAGE

ROCKHOUSE (CAUDILL) DRAINAGE

PROJECT TOTAL COST	\$264,445.00	PROJECT TOTAL PREVIOUS	\$0.00	PROJECT TOTAL THIS APPLICATION	\$0.00	PROJECT TOTAL TO DATE	\$0.00
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L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 23, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Williamson (Lusk) LS
L.A. Gates: 23.161

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Williamson (Lusk) LS project consists of six (6) identified dangerous impoundments (DI), two (2) landslide areas, and a draining portal. The project is located above the Housing Authority in Williamson which receives drainage from each site. The project will address the impoundments by the installation of functioning wet seals and earthwork to direct the drainage safely from the hillside above the Housing Authority to the receiving stream. The banking will be stabilized in the immediate areas of the portals to minimize future slippage.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the

time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying for the project will include construction control and topographic surveying needed for the design of the access road for geotechnical and construction purposes and design around the portals. For this site, conventional surveying will be utilized. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

Geotechnical analysis will be performed to calculate the water impoundment at the lowest portal on each ridge. This will be accomplished by installation of a stick mount 2" piezometer with locking cap within a concrete pad. For site access, the geotechnical crew will construct an access road, approximately 10'-12' in width, from the Housing Authority apartments to the site. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. Drilling is estimated to one piezometer at the lowest discovered draining portal on the east side of the site and one for the left drainage, for a total of 2 with up to three attempts per site anticipated. A geotechnical investigation report will be provided to AML upon the completion of the work.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading, and stabilization of all disturbed areas, sealing of all openings, controlled drainage to the nearest natural drainage area and site restoration. Wet seals/dry seals will be designed at each portal. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. Coordination with the City of Williamson during the design and construction will also be maintained.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel overseeing the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 150 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

The attached Microsoft Project Schedule is an estimated time schedule for each task associated with the project. Review and approval times have been assumed and added to the schedule.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Williamson (Lusk) LS project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

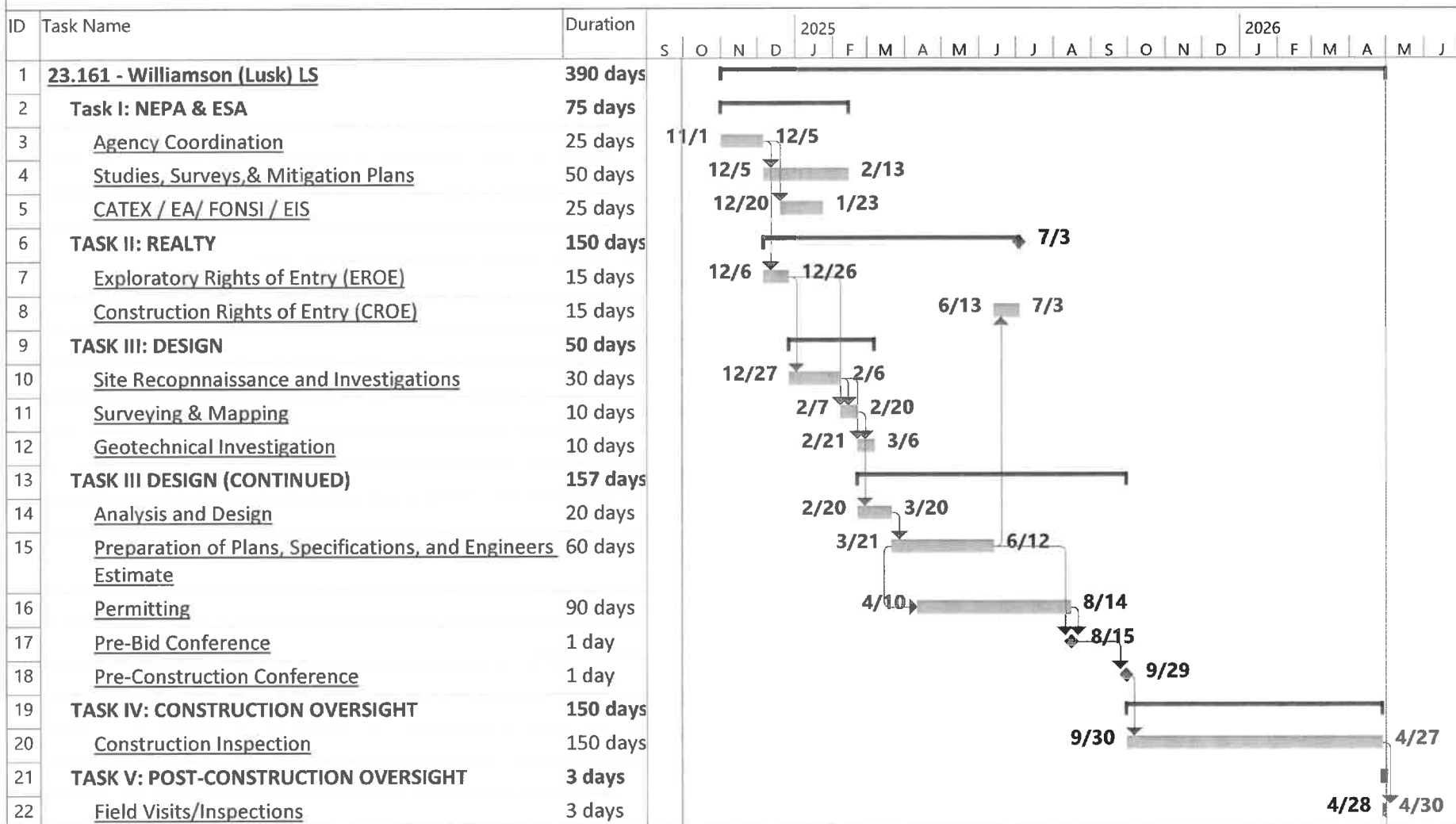
Attachments



L.A. Gates Company
Engineers & Consultants

WILLIAMSON (LUSK) LS AML CONTRACT S1 PROJECT TIMELINE

JN 23.161



Project: 23.161_Schedule_03262
Date: Mon 9/30/24

Task

Milestone

Summary

Project Summary

Progress

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending

Contract Name: 2023 AML Contract S1

Commodity Line: 1

Project Name: Williamson (Lusk) LS

Application No.: 1

Page 2 of 6 Pages

SCHEDULE PER CONTRACT						WORK COMPLETED					
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE	
										UNITS	COST
TASK I: NEPA & ESA											
A	Agency Coordinations (including Office Work, AMLNET, etc.)										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	12	\$125.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)										
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
C	Studies, Surveys & Mitigation Plans										
1	Project Manager / Senior Engineer	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	20	\$125.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00
3	Bat Study	HR	0	\$3,500.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
D	CATEX / EA / FONSI / EIS										
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	40	\$125.00	\$5,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	60	\$100.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
5	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
6	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00
					SUBTOTAL PAGE 2 COST	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 4 of 6 Pages			
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: Williamson (Lusk) LS											
SCHEDULE PER CONTRACT						WORK COMPLETED					
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS	TOTAL BILLED TO DATE COST
TASK III: DESIGN											
A	SITE RECONNAISSANCE AND INVESTIGATIONS										
1	Project Manager / Senior Engineer	HR	30	\$175.00	\$5,250.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	30	\$100.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00
B	SURVEYING & MAPPING										
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	24	\$100.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Professional Surveyor / Chief Surveyor	HR	10	\$130.00	\$1,300.00		\$0.00		\$0.00	0.0	\$0.00
4	Survey Crew (2 Man)	HR	30	\$130.00	\$3,900.00		\$0.00		\$0.00	0.0	\$0.00
5	Survey Crew (3 Man)	HR	10	\$180.00	\$1,800.00		\$0.00		\$0.00	0.0	\$0.00
6	Senior Technician	HR	20	\$95.00	\$1,900.00		\$0.00		\$0.00	0.0	\$0.00
7	Topographic, Planimetric and Check Surveying	Acre	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
8	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
9	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
C	GEOTECHNICAL INVESTIGATION										
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00
2	Geotechnical Engineer/Geologist	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00
3	Staff Engineer	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Mobilization / Demobilization	LS	1	\$5,500.00	\$5,500.00		\$0.00		\$0.00	0.0	\$0.00
5	Soil Augering	LF	60	\$30.00	\$1,800.00		\$0.00		\$0.00	0.0	\$0.00
6	Rock Coring	LF	300	\$55.00	\$16,500.00		\$0.00		\$0.00	0.0	\$0.00
7	Heavy Equipment	HR	80	\$150.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00
8	Water Truck	Day	7	\$400.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
9	MarookaTrack Truck	Day	7	\$1,000.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00
10	Truck	Day	15	\$200.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
11	36" Culvert - HDPE	LF	40	\$70.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
12	Crushed Stone	Ton	20	\$45.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00
13	Piezometer Installation	LF	100	\$38.00	\$3,800.00		\$0.00		\$0.00	0.0	\$0.00
14	PZ Stickup Mount in Concrete Pad	EA	2	\$250.00	\$500.00		\$0.00		\$0.00	0.0	\$0.00
15	Drill Crew Per Diem	Day	35	\$166.00	\$5,810.00		\$0.00		\$0.00	0.0	\$0.00
16	Reclamation	LS	1	\$3,600.00	\$3,600.00		\$0.00		\$0.00	0.0	\$0.00
17	Geotechnical Investigation Report	LS	1	\$2,500.00	\$2,500.00		\$0.00		\$0.00	0.0	\$0.00
18	Mileage	Mile	1000	\$0.67	\$670.00		\$0.00		\$0.00	0.0	\$0.00
19	Per Diem	Day	10	\$59.00	\$590.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL PAGE 4 COST	\$111,369.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1			Page 5 of 6 Pages			
Contract Name: 2023 AML Contract S1						WORK COMPLETED						
Commodity Line: 1												
Project Name: Williamson (Lusk) LS												
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN (CONTINUED)												
D		ANALYSIS AND DESIGN										
	1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Geotechnical Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	3	Enviornmental Specialist	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	4	Staff Engineer	HR	120	\$100.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00
	5	CADD Technician	HR	40	\$85.00	\$3,400.00		\$0.00		\$0.00	0.0	\$0.00
E		PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE										
	1	Project Manager / Senior Engineer	HR	80	\$175.00	\$14,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Geotechnical Engineer	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
	3	Enviornmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	4	Staff Engineer	HR	120	\$100.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00
	5	CADD Technician	HR	160	\$85.00	\$13,600.00		\$0.00		\$0.00	0.0	\$0.00
	6	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
F		PERMITTING										
	1	Project Manager / Senior Engineer	HR	60	\$175.00	\$10,500.00		\$0.00		\$0.00	0.0	\$0.00
	2	Engineer / Environmental Scientist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
	3	Clerical	HR	60	\$60.00	\$3,600.00		\$0.00		\$0.00	0.0	\$0.00
	4	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
G		PRE-BID CONFERENCE										
	1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
	2	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
	3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00
H		PRE-CONSTRUCTION CONFERENCE										
	1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
	2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00
	3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
					SUBTOTAL PAGE 5 COST	\$88,581.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00
AML-7A (Revised 7/5/2023)												

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages			
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET', AND PAGE NUMBERS CORRECTED AS NEEDED						
Commodity Line: N/A												
Project Name: N/A						WORK COMPLETED						
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION				UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST

AML-7 (Revised 7/5/2023)

CONTRACT NAME: - Contract S1				GRAND TOTAL COST	\$362,789.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00	GRAND TOTAL TO DATE	\$0.00
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L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 23, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Jennie Creek Portals
L.A. Gates: 23.163

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Jennie Creek project consists of three (3) impounded portals that are actively draining. There is also a 6 ft by 3 ft opening that is flooded and draining. The project will be to identify the mining behind the impoundments and construct wet seals for each. The opening will also need to be sealed and drainage control installed. The drainage will be controlled off site and discharged to the receiving stream or natural drainage feature. If necessary, an underdrain may also be installed to reduce the saturation of the soils near the residences and the water discharged into the new system.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

A bat assessment will be required and performed by an approved consultant as required for the project. Environmental sampling has been excluded.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed,

and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences. There is an ongoing litigation between adjacent property owners that will be considered when assembling the project documents.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying for the project will be topographic data and surrounding features necessary for design. Benchmarks will be set and additional site features necessary for construction will be identified and located. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified. Should the portals or project fall on an intersection of property lines, we have added time for additional survey to field located the property line and portal/improvements locations.

Geotechnical analysis will be performed to calculate the water impoundment at the lowest portal on each ridge. This will be accomplished by installation of a stick mount 2" piezometer with locking cap within a concrete pad. For site access, the geotechnical crew will construct an access road, approximately 10'-12' in width, from the upper portal above the remaining openings. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. Drilling is estimated to one piezometer at the lowest discovered draining portal. A geotechnical investigation report will be provided to AML upon the completion of the work.

During site visitation with AML, it was determined that due to the opening and natural drainage around the site no impounded water would be encountered. Should a determination be made once more in-depth engineering has taken place, we can revisit this line item.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, wet sealing of all openings, drainage of openings and management of runoff, and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. If necessary for each project, a West Virginia Department of Highway

MM-109 permit will be completed for work in state roads rights-of-way. L.A. Gates will prepare and submit this permit in a timely manner so as not to affect construction scheduling.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 70 calendar days.

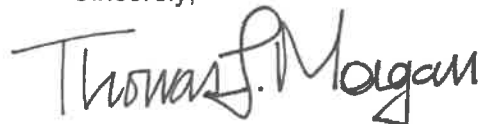
Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

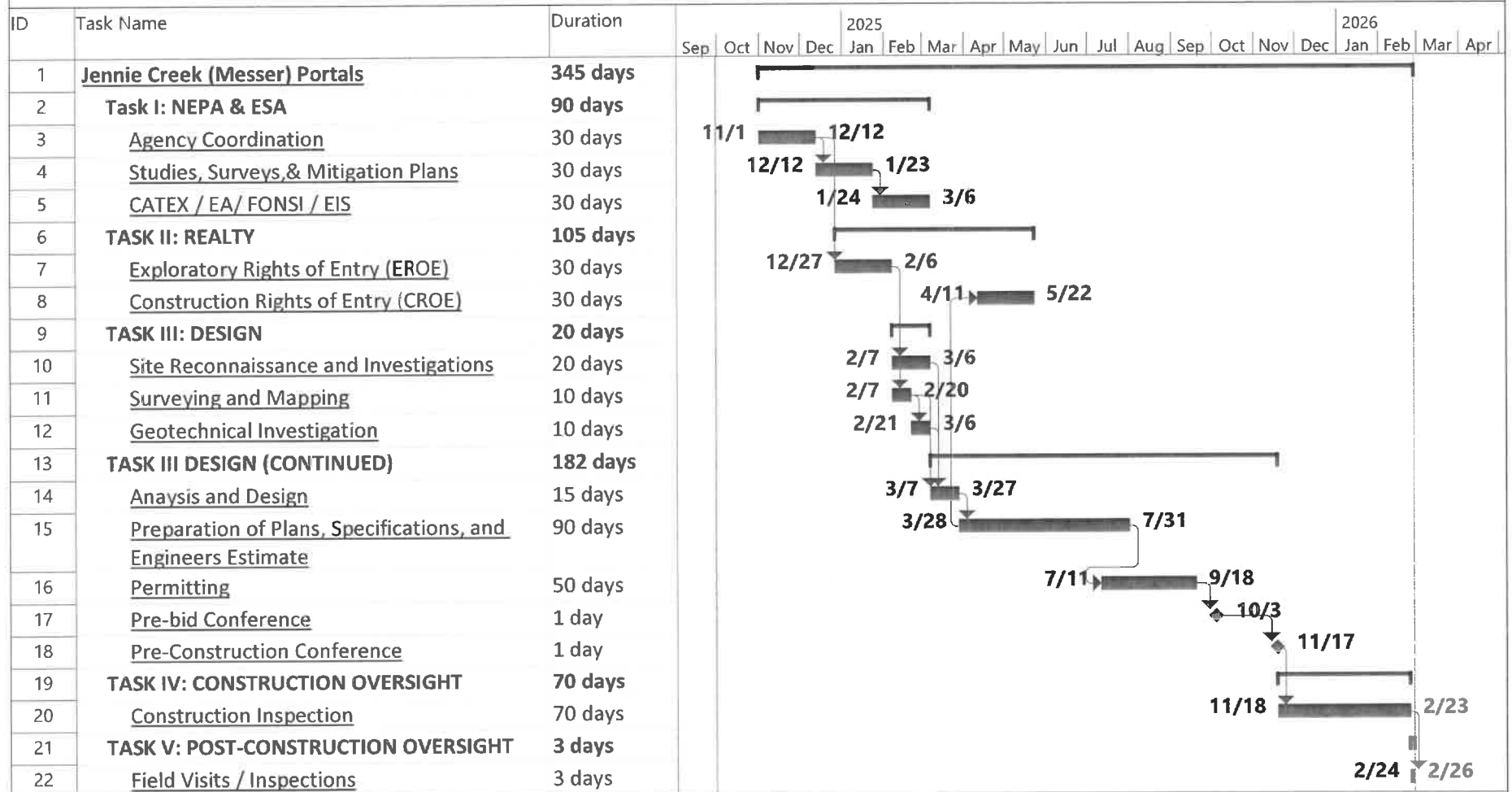
We appreciate the opportunity to submit this fee proposal for the Jennie Creek Portals project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



Project: 23.163_Schedule_03272
Date: Mon 9/30/24

Task



Summary



Progress



Milestone



Project Summary



WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 2 of 6 Pages						
Contract Name: 2023 AML Contract S1														
Commodity Line: 1														
Project Name: JENNIE CREEK (MESSER) PORTALS						WORK COMPLETED								
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE				
TASK	DESCRIPTION				UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK I: NEPA & ESA														
A		Agency Coordinations (including Office Work, AMLNET, etc.)												
	1	Project Manager / Senior Engineer				HR	16	\$175.00	\$2,800.00					
	2	Engineer / Technical Scientist				HR	12	\$125.00	\$1,500.00	\$0.00		\$0.00	0.0	\$0.00
	3	Planning / Technical Specialist				HR	40	\$100.00	\$4,000.00	\$0.00		\$0.00	0.0	\$0.00
	4	Mileage				Mile	200	\$0.67	\$134.00	\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem				Day	2	\$59.00	\$118.00	\$0.00		\$0.00	0.0	\$0.00
B		Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)												
	1	Project Manager / Senior Engineer				HR	0	\$175.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00
	2	Engineer / Technical Scientist				HR	0	\$125.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00
	3	Planning / Technical Specialist				HR	0	\$100.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00
	4	Mileage				Mile	0	\$0.67	\$0.00	\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem				Day	0	\$59.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00
C		Studies, Surveys & Mitigation Plans												
	1	Project Manager / Senior Engineer				HR	4	\$175.00	\$700.00	\$0.00		\$0.00	0.0	\$0.00
	2	Engineer / Technical Scientist				HR	20	\$125.00	\$2,500.00	\$0.00		\$0.00	0.0	\$0.00
	3	Bat Study				HR	1	\$3,500.00	\$3,500.00	\$0.00		\$0.00	0.0	\$0.00
	4	Mileage				Mile	400	\$0.67	\$268.00	\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem				Day	0	\$59.00	\$0.00	\$0.00		\$0.00	0.0	\$0.00
D		CATEX / EA / FONSI / EIS												
	1	Project Manager / Senior Engineer				HR	12	\$175.00	\$2,100.00	\$0.00		\$0.00	0.0	\$0.00
	2	Engineer / Technical Scientist				HR	16	\$125.00	\$2,000.00	\$0.00		\$0.00	0.0	\$0.00
	3	Planning / Technical Specialist				HR	60	\$100.00	\$6,000.00	\$0.00		\$0.00	0.0	\$0.00
	4	Mileage				Mile	200	\$0.67	\$134.00	\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem				Day	1	\$59.00	\$59.00	\$0.00		\$0.00	0.0	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1				Page 3 of 6 Pages	
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: JENNIE CREEK (MESSER) PORTALS						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	
TASK II: REALTY											
A		Exploratory Rights of Entry (EROE)									
	1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0 \$0.00
	2	Realty Agent				\$0.00					
	a	Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0 \$0.00
	b	Field Reconnaissance / Landowner Correspondence	HR	32	\$100.00	\$3,200.00		\$0.00		\$0.00	0.0 \$0.00
	c	Office Work / AMLNET	HR	32	\$60.00	\$1,920.00		\$0.00		\$0.00	0.0 \$0.00
	3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0 \$0.00
	4	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0 \$0.00
B		Construction Rights of Entry (CROE)									
	1	Project Manager / Senior Engineer	HR	16	\$175.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
	2	Realty Agent									
	a	Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0 \$0.00
	b	Field Reconnaissance / Landowner Correspondence	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0 \$0.00
	c	Office Work / AMLNET	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0 \$0.00
	3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0 \$0.00
	4	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0 \$0.00
C		Pre-Bid Conference									
	1	Realty Agent	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
	2	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
D		Pre-Construction Conference									
	1	Realty Agent	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
	2	Mileage	Mile	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0 \$0.00
					SUBTOTAL PAGE 3 COST	\$15,066.00	SUBTOTAL PAGE 3 PREVIOUS	\$0.00	SUBTOTAL PAGE 3 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 3 TO DATE \$0.00
AML-7A (Revised 7/5/2023)											

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 4 of 6 Pages			
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: JENNIE CREEK (MESSER) PORTALS											
SCHEDULE PER CONTRACT						WORK COMPLETED					
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS	TOTAL BILLED TO DATE COST
TASK III: DESIGN											
A	SITE RECONNAISSANCE AND INVESTIGATIONS										
1	Project Manager / Senior Engineer	HR	30	\$175.00	\$5,250.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	30	\$100.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00
B	SURVEYING & MAPPING										
1	Project Manager / Senior Engineer	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	24	\$100.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
3	Professional Surveyor / Chief Surveyor	HR	4	\$130.00	\$520.00		\$0.00		\$0.00	0.0	\$0.00
4	Survey Crew (2 Man)	HR	10	\$130.00	\$1,300.00		\$0.00		\$0.00	0.0	\$0.00
5	Survey Crew (3 Man)	HR	12	\$180.00	\$2,160.00		\$0.00		\$0.00	0.0	\$0.00
6	Senior Technician	HR	20	\$95.00	\$1,900.00		\$0.00		\$0.00	0.0	\$0.00
7	Topographic, Planimetric and Check Surveying	Acre	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
8	Mileage	Mile	400	\$1.00	\$400.00		\$0.00		\$0.00	0.0	\$0.00
9	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00
C	GEOTECHNICAL INVESTIGATION										
1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00		\$0.00		\$0.00	0.0	\$0.00
2	Geotechnical Engineer/Geologist	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
3	Staff Engineer	HR	30	\$100.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Mobilization / Demobilization	LS	1	\$2,250.00	\$2,250.00		\$0.00		\$0.00	0.0	\$0.00
5	Soil Augering	LF	15	\$30.00	\$450.00		\$0.00		\$0.00	0.0	\$0.00
6	Rock Coring	LF	.45	\$55.00	\$2,475.00		\$0.00		\$0.00	0.0	\$0.00
7	Heavy Equipment	HR	20	\$150.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
8	Marooka Track Truck	Day	3	\$1,000.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
9	Water Truck	Day	3	\$400.00	\$1,200.00		\$0.00		\$0.00	0.0	\$0.00
10	Company Truck	Day	6	\$200.00	\$1,200.00		\$0.00		\$0.00	0.0	\$0.00
11	UTV Side by Side	Day	3	\$150.00	\$450.00		\$0.00		\$0.00	0.0	\$0.00
12	Piezometer Installation	LF	60	\$38.00	\$2,280.00		\$0.00		\$0.00	0.0	\$0.00
13	PZ Stickup Mount in Concrete Pad	EA	1	\$250.00	\$250.00		\$0.00		\$0.00	0.0	\$0.00
14	Drill Crew Per Diem	Day	12	\$166.00	\$1,992.00		\$0.00		\$0.00	0.0	\$0.00
15	Reclamation	LS	1	\$1,470.00	\$1,470.00		\$0.00		\$0.00	0.0	\$0.00
16	Geotechnical Investigation Report	LS	1	\$1,500.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00
17	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
18	Per Diem	Day	6	\$59.00	\$354.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL PAGE 4 COST	\$47,918.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 5 of 6 Pages

Country	Year	Population (millions)	Urban population (millions)	Urban population (%)
Algeria	1990	10.5	5.5	52.4
Algeria	2000	12.5	7.5	60.0
Algeria	2010	14.5	9.5	65.5
Algeria	2020	16.5	11.5	69.7
Algeria	2030	18.5	13.5	72.9
Algeria	2040	20.5	15.5	75.6
Algeria	2050	22.5	17.5	77.8
Algeria	2060	24.5	19.5	79.6
Algeria	2070	26.5	21.5	81.1
Algeria	2080	28.5	23.5	82.5
Algeria	2090	30.5	25.5	83.6
Algeria	2100	32.5	27.5	84.6
Algeria	2110	34.5	29.5	85.5
Algeria	2120	36.5	31.5	86.3
Algeria	2130	38.5	33.5	87.0
Algeria	2140	40.5	35.5	87.7
Algeria	2150	42.5	37.5	88.2
Algeria	2160	44.5	39.5	88.8
Algeria	2170	46.5	41.5	89.3
Algeria	2180	48.5	43.5	89.7
Algeria	2190	50.5	45.5	90.1
Algeria	2200	52.5	47.5	90.5
Algeria	2210	54.5	49.5	90.8
Algeria	2220	56.5	51.5	91.2
Algeria	2230	58.5	53.5	91.5
Algeria	2240	60.5	55.5	91.8
Algeria	2250	62.5	57.5	92.2
Algeria	2260	64.5	59.5	92.4
Algeria	2270	66.5	61.5	92.6
Algeria	2280	68.5	63.5	92.8
Algeria	2290	70.5	65.5	93.0
Algeria	2300	72.5	67.5	93.1
Algeria	2310	74.5	69.5	93.3
Algeria	2320	76.5	71.5	93.5
Algeria	2330	78.5	73.5	93.7
Algeria	2340	80.5	75.5	93.9
Algeria	2350	82.5	77.5	94.0
Algeria	2360	84.5	79.5	94.2
Algeria	2370	86.5	81.5	94.4
Algeria	2380	88.5	83.5	94.5
Algeria	2390	90.5	85.5	94.6
Algeria	2400	92.5	87.5	94.7
Algeria	2410	94.5	89.5	94.9
Algeria	2420	96.5	91.5	95.0
Algeria	2430	98.5	93.5	95.1
Algeria	2440	100.5	95.5	95.2
Algeria	2450	102.5	97.5	95.3
Algeria	2460	104.5	99.5	95.4
Algeria	2470	106.5	101.5	95.5
Algeria	2480	108.5	103.5	95.6
Algeria	2490	110.5	105.5	95.7
Algeria	2500	112.5	107.5	95.8
Algeria	2510	114.5	109.5	95.9
Algeria	2520	116.5	111.5	96.0
Algeria	2530	118.5	113.5	96.1
Algeria	2540	120.5	115.5	96.2
Algeria	2550	122.5	117.5	96.3
Algeria	2560	124.5	119.5	96.4
Algeria	2570	126.5	121.5	96.5
Algeria	2580	128.5	123.5	96.6
Algeria	2590	130.5	125.5	96.7
Algeria	2600	132.5	127.5	96.8
Algeria	2610	134.5	129.5	96.9
Algeria	2620	136.5	131.5	97.0
Algeria	2630	138.5	133.5	97.1
Algeria	2640	140.5	135.5	97.2
Algeria	2650	142.5	137.5	97.3
Algeria	2660	144.5	139.5	97.4
Algeria	2670	146.5	141.5	97.5
Algeria	2680	148.5	143.5	97.6
Algeria	2690	150.5	145.5	97.7
Alger				

WORK COMPLETED

TOTAL BILLED TO DATE

AML-7A (Revised 7/5/2023)

AML-7A (Revised 7/5/2023)

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 7, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Buffalo Trail Portals
L.A. Gates: 23.160

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Buffalo Trail Portals project consists of nine (9) portals and four (4) sets of auger holes along that Hatfield and McCoys Trail System near the Buffalo Mountain Trailhead in Delbarton, WV. A recent mine fire that is currently being addressed near auger hole set no. 4 and portal no.8 (as well as utilizing the drainage from portal no. 7 to combat the fire) limits the immediate scope of work to exclude those areas. The scope of the project will be to remove the access to all openings and maintain the drainage. A bat survey for Portal No.1 has also been requested and will be conducted for this project. Due to the smoke and mine fire, it was determined that a survey will not be required on the other openings of the project.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

As requested, a Phase I Bat Assessments will be performed by an approved consultant as required for the project. Environmental sampling has been excluded, having been previously reported by AML field representatives in the OSM 51.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's

Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Surveying for the project will be limited to a check survey from the original survey data provided to us by your office. Benchmarks will be set and additional site features necessary for construction will be identified and located. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, sealing of all openings, drainage of openings away from or across the trail system, and site restoration. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors. Coordination with the Hatfield and McCoy Trail Management will be maintained throughout the project. Coordination with the Hatfield and McCoy Trail Management will be maintained throughout the project.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractor concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the

maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 70 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

The attached Microsoft Project Schedule is an estimated time schedule for each task associated with the project. Review and approval times have been assumed and added to the schedule.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Buffalo Trail Portals project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



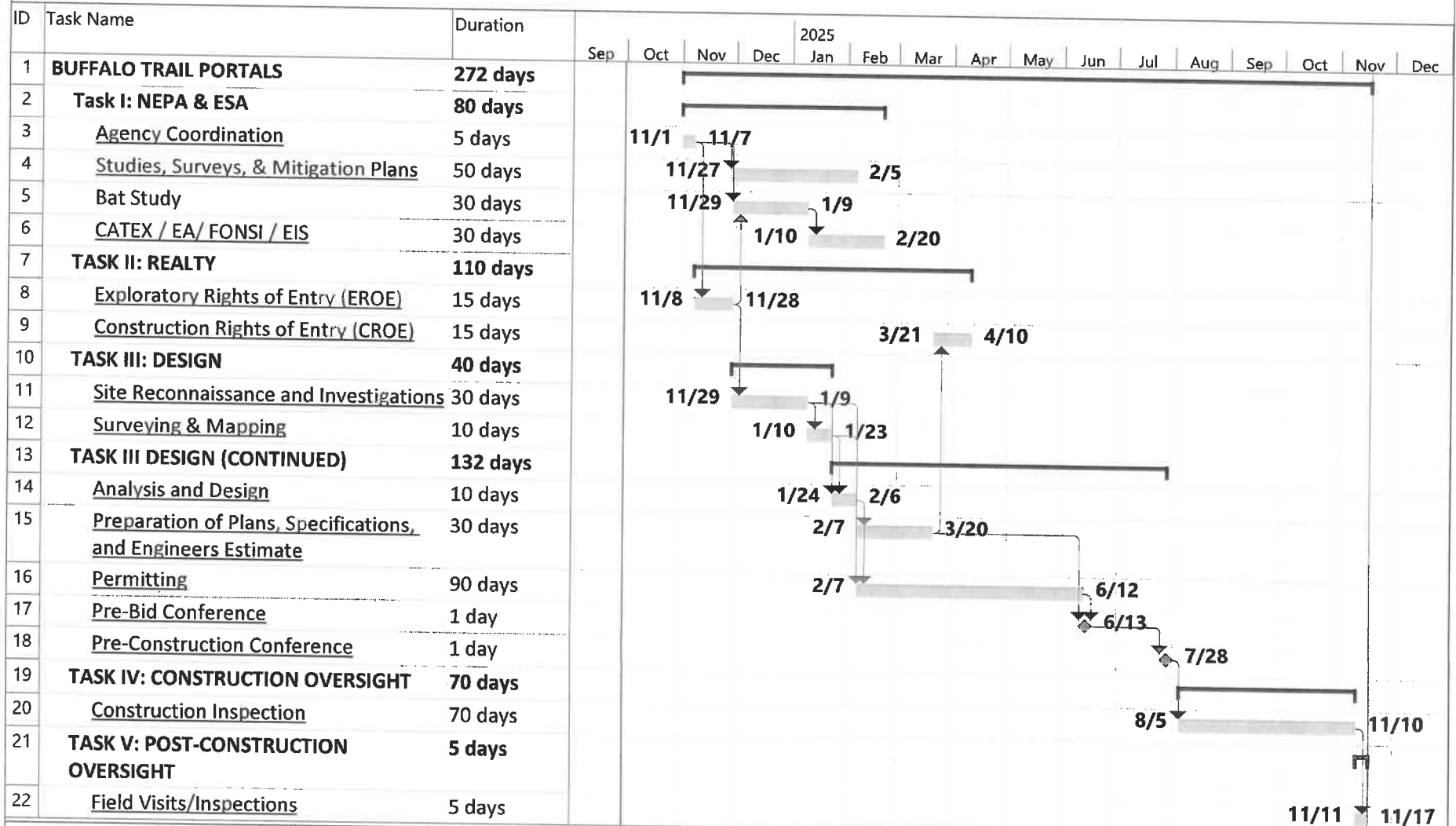
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



BUFFALO TRAIL PORTALS
AML CONTRACT S1
PROJECT TIMELINE

JN 23.160



Project: Buffalo Trail Portals_03
Date: Mon 9/30/24

Task

Milestone

Summary

Project Summary

Progress

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending

Contract Name: 2023 AML Contract S1

Commodity Line: 1

Project Name: BUFFALO TRAIL PORTALS

Application No.: 1

Page 3 of 6 Pages

SCHEDULE PER CONTRACT						WORK COMPLETED					
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE	
										UNITS	COST
TASK II: REALTY											
A	Exploratory Rights of Entry (EROE)										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
2	Realty Agent				\$0.00						
a	Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
b	Field Reconnaissance / Landowner Correspondence	HR	32	\$100.00	\$3,200.00		\$0.00		\$0.00	0.0	\$0.00
c	Office Work / AMLNET	HR	32	\$60.00	\$1,920.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
B	Construction Rights of Entry (CROE)										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Realty Agent										
a	Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
b	Field Reconnaissance / Landowner Correspondence	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
c	Office Work / AMLNET	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0	\$0.00
3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
4	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
C	Pre-Bid Conference										
1	Realty Agent	HR	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Mileage	Mile	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
D	Pre-Construction Conference										
1	Realty Agent	HR	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Mileage	Mile	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
				SUBTOTAL PAGE 3 COST	\$15,066.00	SUBTOTAL PAGE 3 PREVIOUS	\$0.00	SUBTOTAL PAGE 3 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 3 TO DATE	\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 5 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: BUFFALO TRAIL PORTALS												
SCHEDULE PER CONTRACT						WORK COMPLETED						
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS COST		
TASK III: DESIGN (CONTINUED)												
D	ANALYSIS AND DESIGN											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Enviornmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
5	CADD Technician	HR	40	\$85.00	\$3,400.00		\$0.00		\$0.00	0.0	\$0.00	
E	PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE											
1	Project Manager / Senior Engineer	HR	12	\$175.00	\$2,100.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Enviornmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
5	CADD Technician	HR	120	\$85.00	\$10,200.00		\$0.00		\$0.00	0.0	\$0.00	
6	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00			
F	PERMITTING											
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Environmental Scientist	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Clerical	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00	
G	PRE-BID CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
H	PRE-CONSTRUCTION CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 5 COST	\$47,787.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending	Application No.: 1	Page 6 of 6 Pages
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Contract Name:	2023 AML Contract S1
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Commodity Line:	1
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Project Name:	BUFFALO TRAIL PORTALS
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SCHEDULE PER CONTRACT	PREVIOUS	PREVIOUS BILLED	THIS	AMOUNT DUE THIS	TOTAL BILLED TO DATE
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[illegible]

TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
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[illegible][illegible]

1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00	\$0.00	\$0.00	0.0	\$0.00
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[illegible]

	a	Construction Inspection	HR	400	\$90.00	\$36,000.00	\$0.00	\$0.00	0.0	\$0.00
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	b	Office Work / AMLNET	HR	400	\$60.00	\$2,400.00	\$0.00	\$0.00	0.0	\$0.00
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	c	Mileage	Mile	8000	\$0.67	\$5,360.00	\$0.00	\$0.00	0.0	\$0.00
				22	\$0.22	\$1,772.00	\$0.00	\$0.00	0.0	\$0.00

		d	Per Diem	Day	30	\$59.00	\$1,770.00		\$0.00		\$0.00	0.0	\$0.00
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TABLE 1. POST CONSTRUCTION OVERSIGHT										
Item	Frequency	Responsible Party	Duration	Cost	Notes	Item	Frequency	Responsible Party	Duration	
1. Visual inspection of construction site	Weekly	Owner/Engineer	12 months	\$10,000	Check for erosion, sediment, and other site issues	11. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
2. Monitor construction progress	Weekly	Owner/Engineer	12 months	\$10,000	Check for delays, quality issues, and safety concerns	12. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
3. Monitor construction quality	Weekly	Owner/Engineer	12 months	\$10,000	Check for workmanship, materials, and compliance with specifications	13. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
4. Monitor construction safety	Weekly	Owner/Engineer	12 months	\$10,000	Check for safety hazards, worker safety, and compliance with regulations	14. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
5. Monitor construction cost	Weekly	Owner/Engineer	12 months	\$10,000	Check for budget overruns, cost savings, and compliance with contract terms	15. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
6. Monitor construction schedule	Weekly	Owner/Engineer	12 months	\$10,000	Check for delays, schedule changes, and compliance with contract terms	16. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
7. Monitor construction environmental impact	Weekly	Owner/Engineer	12 months	\$10,000	Check for erosion, sediment, and other environmental impacts	17. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
8. Monitor construction social impact	Weekly	Owner/Engineer	12 months	\$10,000	Check for community impacts, worker safety, and compliance with regulations	18. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
9. Monitor construction economic impact	Weekly	Owner/Engineer	12 months	\$10,000	Check for budget overruns, cost savings, and compliance with contract terms	19. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000
10. Monitor construction cultural impact	Weekly	Owner/Engineer	12 months	\$10,000	Check for community impacts, worker safety, and compliance with regulations	20. Review and approve final construction report	Once	Owner/Engineer	12 months	\$10,000

[illegible]

1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00	\$0.00	\$0.00	0.0	\$0.00
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2	Construction Inspector	HR	10	\$90.00	\$900.00	\$0.00	\$0.00	0.0	\$0.00
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3	Mileage	Mile	600	\$0.67	\$402.00	\$0.00	\$0.00	0.0	\$0.00
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[illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible]

					SUBTOTAL		SUBTOTAL		SUBTOTAL		SUBTOTAL	
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	PREVIOUS	REVISION

DATE	DESCRIPTION	AMOUNT	CHECK NUMBER	DATE	DESCRIPTION	AMOUNT	CHECK NUMBER
12/15/2023	RECEIVED FROM [NAME]	100.00	1001	12/15/2023	PAYROLL	50.00	1002
12/16/2023	RECEIVED FROM [NAME]	200.00	1003	12/16/2023	PAYROLL	50.00	1004
12/17/2023	RECEIVED FROM [NAME]	150.00	1005	12/17/2023	PAYROLL	50.00	1006
12/18/2023	RECEIVED FROM [NAME]	100.00	1007	12/18/2023	PAYROLL	50.00	1008
12/19/2023	RECEIVED FROM [NAME]	100.00	1009	12/19/2023	PAYROLL	50.00	1010
12/20/2023	RECEIVED FROM [NAME]	100.00	1011	12/20/2023	PAYROLL	50.00	1012
12/21/2023	RECEIVED FROM [NAME]	100.00	1013	12/21/2023	PAYROLL	50.00	1014
12/22/2023	RECEIVED FROM [NAME]	100.00	1015	12/22/2023	PAYROLL	50.00	1016
12/23/2023	RECEIVED FROM [NAME]	100.00	1017	12/23/2023	PAYROLL	50.00	1018
12/24/2023	RECEIVED FROM [NAME]	100.00	1019	12/24/2023	PAYROLL	50.00	1020
12/25/2023	RECEIVED FROM [NAME]	100.00	1021	12/25/2023	PAYROLL	50.00	1022
12/26/2023	RECEIVED FROM [NAME]	100.00	1023	12/26/2023	PAYROLL	50.00	1024
12/27/2023	RECEIVED FROM [NAME]	100.00	1025	12/27/2023	PAYROLL	50.00	1026
12/28/2023	RECEIVED FROM [NAME]	100.00	1027	12/28/2023	PAYROLL	50.00	1028
12/29/2023	RECEIVED FROM [NAME]	100.00	1029	12/29/2023	PAYROLL	50.00	1030
12/30/2023	RECEIVED FROM [NAME]	100.00	1031	12/30/2023	PAYROLL	50.00	1032
12/31/2023	RECEIVED FROM [NAME]	100.00	1033	12/31/2023	PAYROLL	50.00	1034

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS					
Commodity Line: N/A						EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET', AND PAGE NUMBERS CORRECTED AS NEEDED					
Project Name: N/A						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST

AML-7 (Revised 7/5/2023)	CONTRACT NAME: - Contract S1	GRAND TOTAL COST	\$163,933.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00	GRAND TOTAL TO DATE	\$0.00
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CHANGE ORDER SUMMARY

Change Order	Approved Date	Additions \$+	Deductions \$-	Generalized Justification for or Description of Change Order
X	X			
X	X	\$0.00		
x	x		\$0.00	
TOTAL		\$0.00	\$0.00	
NET		\$0.00		

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 26, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Fireco Site and Refuse
L.A. Gates: 23.171

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. Pursuant to our site visit on January 24, 2024 with the AML staff the Fireco site, located across from the Fireco Pool Room, has numerous AML features that need to be addressed. These include five (5) open portals, nine (9) dangerous impoundments (DI), five (5) coal refuse areas, five (5) hazardous building/foundations, and three (3) highwalls within the 250-acre area.

The following list of services correspond with the attached cost proposal and project timetable for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-

Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences. There is an ongoing litigation between adjacent property owners that will be considered when assembling the project documents.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Geotechnical analysis will be performed to calculate the water impoundment at each draining and impounded portal. This will be accomplished by installation of a stick mount 1" piezometer with locking cap within a concrete pad. For this site it is estimated that there will be six (6) portal borings and one installed piezometer. There will be at least two borrow sites needed for the project. Borrow borings will include standard coring to bedrock estimated at 50 feet per bore for a total of six (6) to eight (8) test areas for borrow. For site access, the geotechnical crew will utilize existing roads with minimal improvement needed. Once areas have been identified, access roads to the boring locations may need to be established. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. A geotechnical investigation report will be provided to AML upon the completion of the work.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, wet/dry sealing of all portals, drainage of openings and management of runoff, stabilization and grading of refuse, and site restoration/highwall reclamation. Pondered surface water will be removed and discharged into receiving streams and the area of ponding reclaimed to remove future hazards in each area. The refuse piles are steep end-dump load type of piling. The refuse areas will be designed for stable slope and the surface capped and reclaimed. The highwalls will be designed for benching and sloping along the face for stabilization. The identified buildings and foundations will be either completely removed from the site or demolished and capped per specifications. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. Coordination with the USACOE is anticipated and will be performed along with the design and permitting for the project.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 365 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Fireco Site and Refuse project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



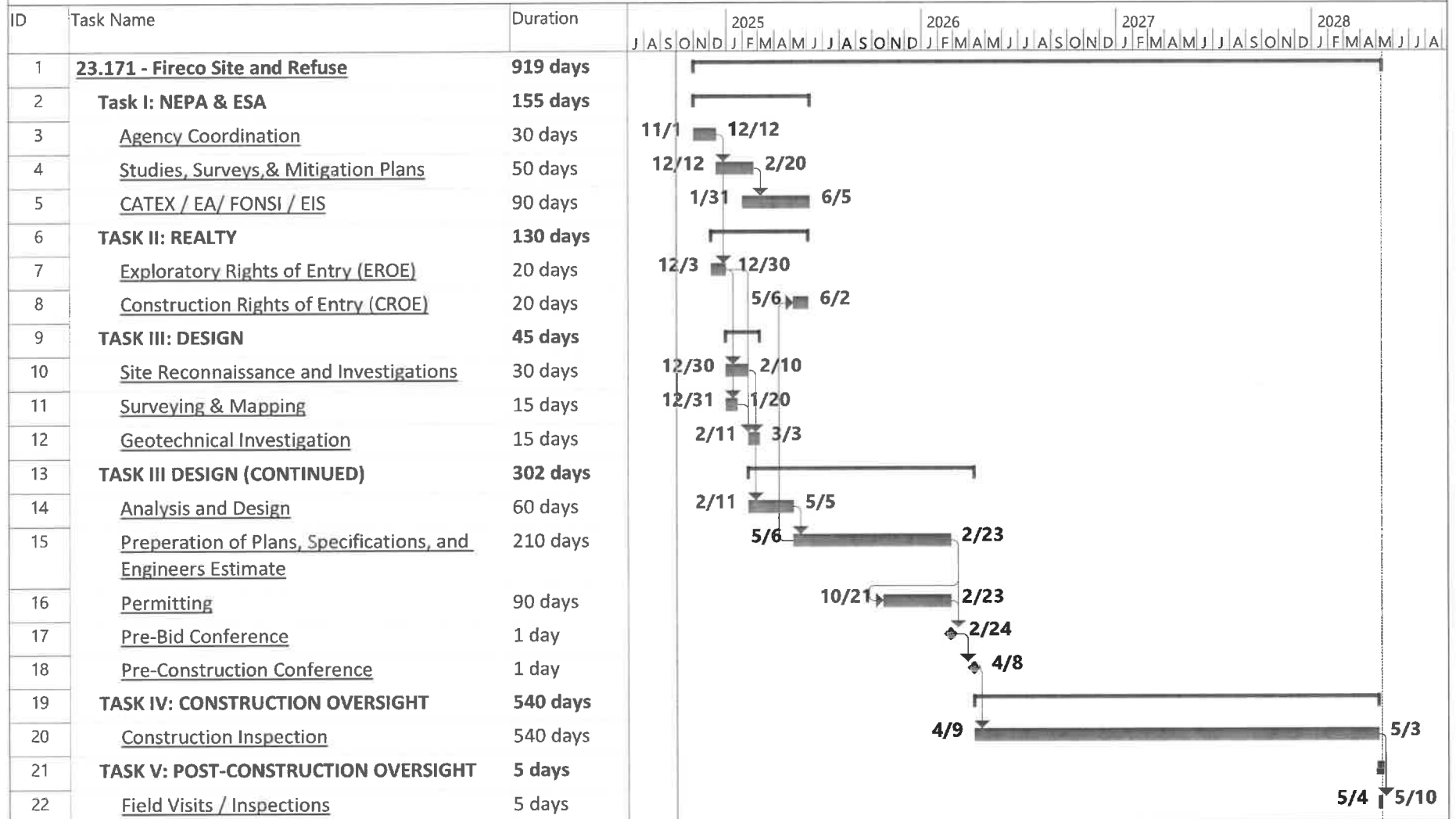
Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

Attachments



FIRECO SITE AND REFUSE
AML CONTRACT S1
PROJECT TIMELINE

JN. 23.171



Project: Fireco
Date: Mon 9/30/24

Task

Milestone



Summary

Project Summary



Progress



CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 2 of 6 Pages

Project Name:	FIRECO SITE AND REFUSE
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SCHEDULE PER CONTRACT

TOTAL BILLED TO DATE

[illegible]

\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 3 of 6 Pages

Project Name:	FIRECO SITE AND REFUSE
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WORK COMPLETED

AML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 4 of 6 Pages			
Contract Name: 2023 AML Contract S1											
Commodity Line: 1											
Project Name: FIRECO SITE AND REFUSE						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN											
A	SITE RECONNAISSANCE AND INVESTIGATIONS										
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00
3	ATV	Day	10	\$250.00	\$2,500.00						
4	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00
B	SURVEYING & MAPPING										
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
2	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Professional Surveyor / Chief Surveyor	HR	24	\$130.00	\$3,120.00		\$0.00		\$0.00	0.0	\$0.00
4	Survey Crew	HR	120	\$130.00	\$15,600.00		\$0.00		\$0.00	0.0	\$0.00
5	Senior Technician	HR	81	\$95.00	\$7,695.00		\$0.00		\$0.00	0.0	\$0.00
6	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
7	Per Diem	Day	6	\$59.00	\$354.00		\$0.00		\$0.00	0.0	\$0.00
C	GEOTECHNICAL INVESTIGATION										
1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00		\$0.00		\$0.00	0.0	\$0.00
2	Geotechnical Engineer/Geologist	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00
3	Staff Engineer	HR	160	\$100.00	\$16,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Mobilization / Demobilization	LS	1	\$2,250.00	\$2,250.00		\$0.00		\$0.00	0.0	\$0.00
5	Soil Augering	LF	120	\$30.00	\$3,600.00		\$0.00		\$0.00	0.0	\$0.00
6	Rock Coring	LF	580	\$55.00	\$31,900.00		\$0.00		\$0.00	0.0	\$0.00
7	Heavy Equipment	HR	150	\$150.00	\$22,500.00		\$0.00		\$0.00	0.0	\$0.00
8	Water Truck	Day	15	\$400.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00
9	Marooka Track Truck	Day	15	\$1,000.00	\$15,000.00		\$0.00		\$0.00	0.0	\$0.00
10	Company Truck	Day	30	\$200.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00
11	UTV Side by Side	Day	15	\$150.00	\$2,250.00		\$0.00		\$0.00	0.0	\$0.00
12	Piezometer Installation	LF	100	\$38.00	\$3,800.00		\$0.00		\$0.00	0.0	\$0.00
13	PZ Stickup Mount in Concrete Pad	EA	1	\$250.00	\$250.00		\$0.00		\$0.00	0.0	\$0.00
14	Drill Crew Per Diem	Day	45	\$166.00	\$7,470.00		\$0.00		\$0.00	0.0	\$0.00
15	Reclamation	LS	1	\$1,470.00	\$1,470.00		\$0.00		\$0.00	0.0	\$0.00
16	Geotechnical Investigation Report	LS	1	\$5,000.00	\$5,000.00		\$0.00		\$0.00	0.0	\$0.00
17	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
18	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
SUBTOTAL PAGE 4 COST					\$180,453.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Project Name:	FIRECO SITE AND REFUSE
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Page 5 of 6 Pages

WORK COMPLETED

SCHEDULE PER CONTRACT

PREVIOUS

PREVIOUS BILLED

THIS

AMOUNT DUE THIS
MONTH: \$100.00

TOTAL BILLED TO DATE

TASK			DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN (CONTINUED)													
D			ANALYSIS AND DESIGN										
	1		Project Manager / Senior Engineer	HR	160	\$175.00	\$28,000.00		\$0.00		\$0.00	0.0	\$0.00
	2		Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	3		Envionmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	4		Staff Engineer	HR	240	\$100.00	\$24,000.00		\$0.00		\$0.00	0.0	\$0.00
	5		CADD Technician	HR	240	\$85.00	\$20,400.00		\$0.00		\$0.00	0.0	\$0.00
	6		ATV	Day	45	\$250.00	\$11,250.00		\$0.00		\$0.00		
E			PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE										
	1		Project Manager / Senior Engineer	HR	200	\$175.00	\$35,000.00		\$0.00		\$0.00	0.0	\$0.00
	2		Geotechnical Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00
	3		Envionmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	4		Clerical	HR	60	\$60.00	\$3,600.00		\$0.00		\$0.00	0.0	\$0.00
	5		Staff Engineer	HR	160	\$100.00	\$16,000.00		\$0.00		\$0.00	0.0	\$0.00
	6		CADD Technician	HR	240	\$85.00	\$20,400.00		\$0.00		\$0.00	0.0	\$0.00
F			PERMITTING										
	1		Project Manager / Senior Engineer	HR	120	\$175.00	\$21,000.00		\$0.00		\$0.00	0.0	\$0.00
	2		Engineer / Environmental Scientist	HR	120	\$100.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00
	3		Clerical	HR	80	\$60.00	\$4,800.00		\$0.00		\$0.00	0.0	\$0.00
	4		Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
	5		Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
G			PRE-BID CONFERENCE										
	1		Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
	2		Mileage	Mile	100	\$0.67	\$67.00		\$0.00		\$0.00	0.0	\$0.00
	3		Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00
H			PRE-CONSTRUCTION CONFERENCE										
	1		Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
	2		Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00
	3		Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
AML-7A (Revised 7/5/2023)						SUBTOTAL PAGE 5 COST	\$204,430.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 6 of 6 Pages

Project Name:	FIRECO SITE AND REFUSE
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SCHEDULE PER CONTRACT

PROJECT TOTAL COST	\$713,150.00	PROJECT TOTAL PREVIOUS	\$0.00	PROJECT TOTAL THIS APPLICATION	\$0.00	PROJECT TOTAL TO DATE	\$0.00
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FIRECO SITE AND REFUSE

PROJECT TOTAL COST	\$713,150.00	PROJECT TOTAL PREVIOUS	\$0.00	PROJECT TOTAL THIS APPLICATION	\$0.00	PROJECT TOTAL TO DATE	\$0.00
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WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET'. AND PAGE NUMBERS CORRECTED AS NEEDED					
Commodity Line: N/A											
Project Name: N/A						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION				UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNITS	COST	UNITS	COST
CONTRACT NAME: - Contract S1						GRAND TOTAL COST	\$713,150.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00
										GRAND TOTAL TO DATE	\$0.00

AML-7 (Revised 7/5/2023)

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

April 15, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Coaldale Coke Ovens & Drainage
L.A. Gates: 23.165

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Coaldale Coke Ovens & Drainage project consists of two distinct areas that require remediation. The first, along Route 52 in Bramwell, are a series of abandoned coke ovens directly adjacent to the highway. This area is easily accessible to the public and a potential danger to the public. The National Coal Heritage office has requested the removal of these ovens. The second area is along the Pocahontas Trail System of the Hatfield-McCoy trail network. This area consists of an open portal, 11 dangerous impoundments (DI), approximately 10 buried coke ovens (only evidence of two on initial site visit), 3,000 LF of highwall, and an area of exposed coal seam that shows evidence of burning.

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the

time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences. There is an ongoing litigation between adjacent property owners that will be considered when assembling the project documents.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Conventional surveying will be used to supplement the lidar mapping and aerial surveying that L.A. Gates currently has in house. Surveying will stake out potential boring locations for portal location, piezometer installation, ref pile limits, borrow areas, and site features (streams, buildings, roads, ponds, etc.). Benchmarks and control points will also be established for design and construction purposes.

Geotechnical analysis will be performed to calculate the water impoundment at each draining portal. This will be accomplished by installation of a stick mount 1" piezometer with locking cap in a concrete pad. For borrow areas and soil analysis, coring will be made to bedrock and an analysis of the soil will be performed to determine the characteristics of the potential borrow. For site access, the geotechnical crew will utilize the existing access roads and improve the area as necessary for adequate access. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation. A geotechnical investigation report will be provided to AML upon the completion of the work.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, grading and stabilization of all disturbed areas, wet/dry sealing of all portals, drainage of openings and management of runoff, stabilization and grading of refuse, and site restoration/highwall reclamation. During the development of the plans and specifications, we anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. If necessary for each project, a West Virginia Department of Highway MM-109 permit will be completed for work in state roads rights-of-way. L.A. Gates will prepare and submit this permit in a timely manner so as not to affect construction scheduling. It is also anticipated that a USACOE permit will be necessary and will be obtained as part of the permitting for the project.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 260 calendar days.

Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Coaldale Coke Ovens and Drainage project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

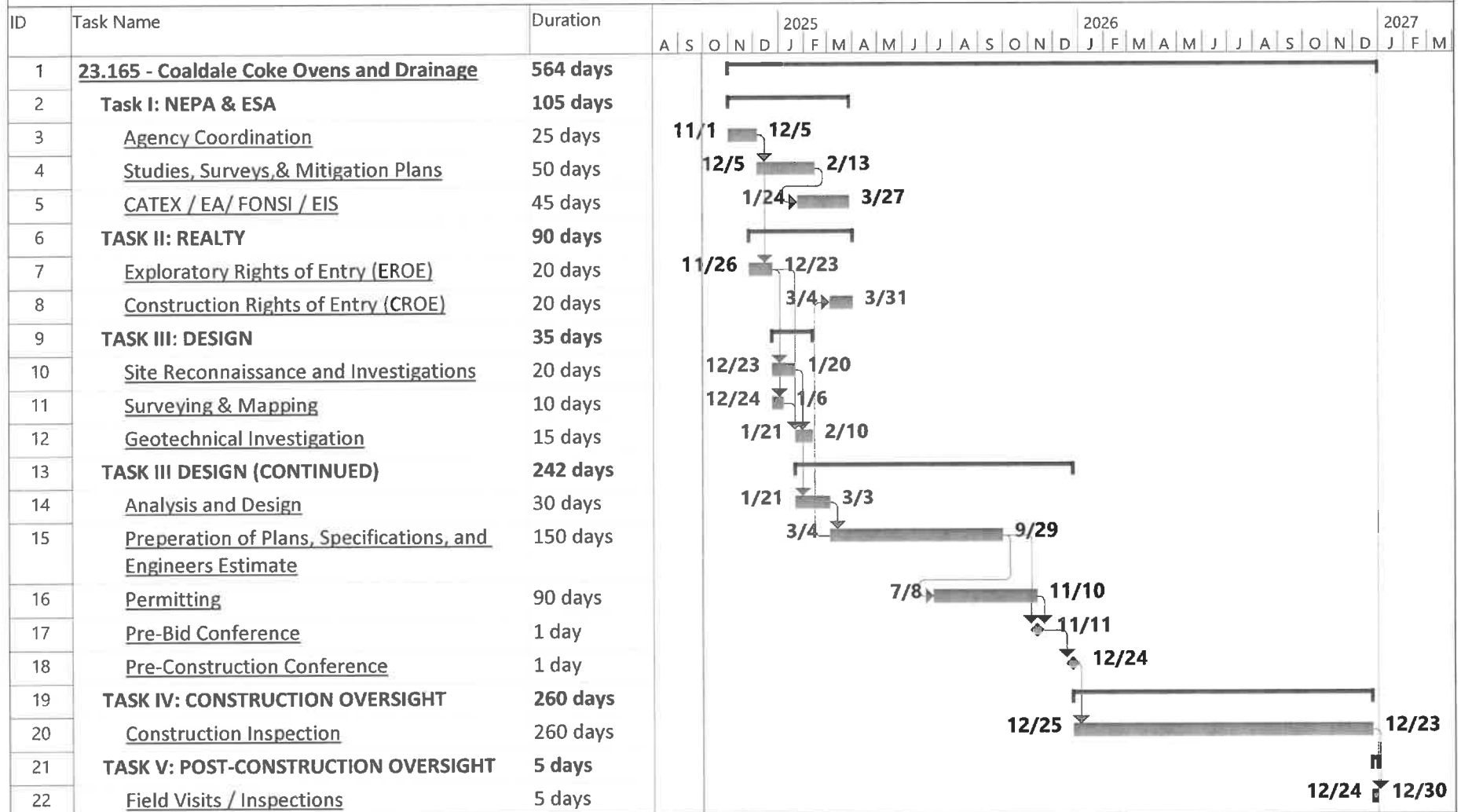
Attachments



L.A. Gates Company
Engineers & Consultants

COALDALE COKE OVENS AND DRAINAGE
AML CONTRACT S1
PROJECT TIMELINE

JN. 23.165



Project: 23.163_Schedule_03272
Date: Mon 9/30/24

Task

Milestone

Summary

Project Summary

Progress

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending

Application No.: 1

Page 2 of 6 Pages

Contract Name: 2023 AML Contract S1

Commodity Line: 1

Project Name: COALDALE COKE OVENS AND DRAINAGE

WORK COMPLETED

SCHEDULE PER CONTRACT

SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK I: NEPA & ESA											
A	Agency Coordinations (including Office Work, AMLNET, etc.)										
1	Project Manager / Senior Engineer	HR	12	\$175.00	\$2,100.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	24	\$125.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	6	\$59.00	\$354.00		\$0.00		\$0.00	0.0	\$0.00
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)										
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
C	Studies, Surveys & Mitigation Plans										
1	Project Manager / Senior Engineer	HR	12	\$175.00	\$2,100.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	24	\$125.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Bat Study	HR	0	\$7,000.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
4	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
D	CATEX / EA / FONSI / EIS										
1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00		\$0.00		\$0.00	0.0	\$0.00
2	Engineer / Technical Scientist	HR	40	\$125.00	\$5,000.00		\$0.00		\$0.00	0.0	\$0.00
3	Planning / Technical Specialist	HR	60	\$100.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00
4	Clerical	HR	20	\$60.00	\$1,200.00		\$0.00		\$0.00	0.0	\$0.00
5	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
6	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00
SUBTOTAL PAGE 2 COST					\$31,385.00	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00

AML-7A (Revised 7/5/2023)

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Application No.: 1

Page 3 of 6 Pages

Commodity Line: 1

Project Name:	COALDALE COKE OVENS AND DRAINAGE
---------------	----------------------------------

WORK COMPLETED

SCHEDULE PER CONTRACT

PREVIOUS

PREVIOUS BILLED

THIS
APPLICATION

AMOUNT DUE THIS
APPLICATION

TOTAL BILLED TO DATE

TASK			DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK II: REALTY													
A			Exploratory Rights of Entry (EROE)										
	1		Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00
	2		Realty Agent				\$0.00						
	a		Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
	b		Field Reconnaissance / Landowner Correspondence	HR	32	\$100.00	\$3,200.00		\$0.00		\$0.00	0.0	\$0.00
	c		Office Work / AMLNET	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
	3		Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00
	4		Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
B			Construction Rights of Entry (CROE)										
	1		Project Manager / Senior Engineer	HR	16	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	2		Realty Agent										
	a		Courthouse Work	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
	b		Field Reconnaissance / Landowner Correspondence	HR	16	\$100.00	\$1,600.00		\$0.00		\$0.00	0.0	\$0.00
	c		Office Work / AMLNET	HR	24	\$60.00	\$1,440.00		\$0.00		\$0.00	0.0	\$0.00
	3		Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
	4		Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00
C			Pre-Bid Conference										
	1		Realty Agent	HR	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
	2		Mileage	Mile	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
D			Pre-Construction Conference										
	1		Realty Agent	HR	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
	2		Mileage	Mile	0		\$0.00		\$0.00		\$0.00	0.0	\$0.00
AML-7A (Revised 7/5/2023)						SUBTOTAL PAGE 3 COST	\$17,080.00	SUBTOTAL PAGE 3 PREVIOUS	\$0.00	SUBTOTAL PAGE 3 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 3 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 4 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: COALDALE COKE OVENS AND DRAINAGE												
SCHEDULE PER CONTRACT						WORK COMPLETED						
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS	TOTAL BILLED TO DATE COST	
TASK III: DESIGN												
A	SITE RECONNAISSANCE AND INVESTIGATIONS											
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00	
2	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00	
4	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
B	SURVEYING & MAPPING											
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00	
2	Staff Engineer	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Professional Surveyor / Chief Surveyor	HR	4	\$130.00	\$520.00		\$0.00		\$0.00	0.0	\$0.00	
4	Survey Crew	HR	30	\$130.00	\$3,900.00		\$0.00		\$0.00	0.0	\$0.00	
5	Senior Technician	HR	20	\$95.00	\$1,900.00		\$0.00		\$0.00	0.0	\$0.00	
6	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
7	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00	
C	GEOTECHNICAL INVESTIGATION											
1	Project Manager / Senior Engineer	HR	20	\$175.00	\$3,500.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer/Geologist	HR	4	\$175.00	\$700.00		\$0.00		\$0.00	0.0	\$0.00	
34	Staff Engineer	HR	84	\$100.00	\$8,400.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mobilization / Demobilization	LS	1	\$2,250.00	\$2,250.00		\$0.00		\$0.00	0.0	\$0.00	
5	Soil Augering	LF	90	\$30.00	\$2,700.00		\$0.00		\$0.00	0.0	\$0.00	
6	Rock Coring	LF	310	\$55.00	\$17,050.00		\$0.00		\$0.00	0.0	\$0.00	
7	Heavy Equipment	HR	70	\$150.00	\$10,500.00		\$0.00		\$0.00	0.0	\$0.00	
8	Water Truck	Day	10	\$400.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
9	Marooka Track Truck	Day	10	\$1,000.00	\$10,000.00		\$0.00		\$0.00	0.0	\$0.00	
10	UTV Side by Side	Day	10	\$150.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00	
11	Company Truck	Day	20	\$200.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
12	Piezometer Installation	LF	150	\$38.00	\$5,700.00		\$0.00		\$0.00	0.0	\$0.00	
13	PZ Stickup Mount in Concrete Pad	EA	1	\$250.00	\$250.00		\$0.00		\$0.00	0.0	\$0.00	
14	Drill Crew Per Diem	Day	40	\$166.00	\$6,640.00		\$0.00		\$0.00	0.0	\$0.00	
15	Reclamation	LS	1	\$1,470.00	\$1,470.00		\$0.00		\$0.00	0.0	\$0.00	
16	Geotechnical Investigation Report	LS	1	\$5,000.00	\$5,000.00		\$0.00		\$0.00	0.0	\$0.00	
17	Mileage	Mile	600	\$0.67	\$402.00		\$0.00		\$0.00	0.0	\$0.00	
18	Per Diem	Day	3	\$59.00	\$177.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 4 COST	\$109,399.00	SUBTOTAL PAGE 4 PREVIOUS	\$0.00	SUBTOTAL PAGE 4 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 4 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1				Page 5 of 6 Pages		
Contract Name: 2023 AML Contract S1						WORK COMPLETED						
Commodity Line: 1												
Project Name: COALDALE COKE OVENS AND DRAINAGE												
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION		UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
TASK III: DESIGN (CONTINUED)												
D		ANALYSIS AND DESIGN										
	1	Project Manager / Senior Engineer	HR	80	\$175.00	\$14,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Geotechnical Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00
	3	Enviornmental Specialist	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	4	Staff Engineer	HR	120	\$100.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00
	5	CADD Technician	HR	80	\$85.00	\$6,800.00		\$0.00		\$0.00	0.0	\$0.00
E		PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE										
	1	Project Manager / Senior Engineer	HR	80	\$175.00	\$14,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Geotechnical Engineer	HR	16	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	3	Enviornmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
	4	Clerical	HR	60	\$60.00	\$3,600.00		\$0.00		\$0.00	0.0	\$0.00
	5	Staff Engineer	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00
	6	CADD Technician	HR	120	\$85.00	\$10,200.00		\$0.00		\$0.00	0.0	\$0.00
F		PERMITTING										
	1	Project Manager / Senior Engineer	HR	80	\$175.00	\$14,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Engineer / Environmental Scientist	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00
	3	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00
	4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00
	5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00
G		PRE-BID CONFERENCE										
	1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
	2	Mileage	Mile	100	\$0.67	\$67.00		\$0.00		\$0.00	0.0	\$0.00
	3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00
H		PRE-CONSTRUCTION CONFERENCE										
	1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00
	2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00
	3	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00
					SUBTOTAL PAGE 5 COST	\$102,128.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00
AML-7A (Revised 2/5/2023)												

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 6 of 6 Pages

Project Name:	COALDALE COKE OVENS AND DRAINAGE
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SCHEDULE PER CONTRACT							WORK COMPLETED					
TASK		DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE UNITS COST	
TASK IV: CONSTRUCTION OVERSIGHT												
A		Construction Inspection										
	1	Project Manager / Senior Engineer	HR	200	\$175.00	\$35,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Construction Inspector										
	a	Construction Inspection	HR	1400	\$90.00	\$126,000.00		\$0.00		\$0.00	0.0	\$0.00
	b	Office Work / AMLNET	HR	200	\$60.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00
	c	Mileage	Mile	25000	\$0.67	\$16,750.00		\$0.00		\$0.00	0.0	\$0.00
	d	Per Diem	Day	75	\$59.00	\$4,425.00		\$0.00		\$0.00	0.0	\$0.00
										\$0.00	0.0	\$0.00
TASK V: POST-CONSTRUCTION OVERSIGHT												
A		FIELD VISITS / INSPECTIONS										
	1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00
	2	Construction Inspector	HR	40	\$90.00	\$3,600.00		\$0.00		\$0.00	0.0	\$0.00
	3	Mileage	Mile	1000	\$0.67	\$670.00		\$0.00		\$0.00	0.0	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET', AND PAGE NUMBERS CORRECTED AS NEEDED					
Commodity Line: N/A						WORK COMPLETED					
Project Name: N/A											
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION			UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNITS	COST	UNITS	COST	COST
CONTRACT NAME: . Contract S1						GRAND TOTAL COST	\$465,437.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00
						GRAND TOTAL TO DATE	\$0.00				

L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

August 26, 2024

Mr. Jonathan Holbert, P.E.
Southern Design Administrator
WVDRP Division of Land Restoration
Office of Abandoned Mine Lands and Reclamation
601 57th Street SE
Charleston, WV 25301

Re: 2023 AML Contract S1
Wyoming Co. LCAP
L.A. Gates: 23.170

Dear Mr. Holbert,

The L.A. Gates Company, Inc. is pleased to provide this scope of work and related cost estimate for the above-referenced project. The estimate has been based on our field reviews of the project areas with your team and our understanding of the scope of services. The Wyoming County LCAP project consists of a project that will determine the source and alleviate the intermingling of mine waters with the subsurface leachate of the Wyoming County landfill. This landfill has been capped and the leachate is currently pumped and treated by the Center Public Service District which charges a rate for the treatment. By minimizing the mine water entering the leachate of the landfill, the goal will be to reduce the capital necessary for treatment and keep the two sources of water separate.

The following lists of services correspond with the attached cost proposal for the project:

Task I: NEPA & ESA – This will include the preparation and coordination for the environmental supporting permitting services required for the project. Services anticipated are coordination with the WVDEP, a site environmental assessment (EA), and necessary research. L.A. Gates will compile the findings of the environmental research into a NEPA EA report following OSMRE guidelines and submitted for review.

Any additional environmental consultation or required permits based on the findings of the EA will be completed and addressed by change order as needed.

Task II: Realty – L.A. Gates will research legal ownership of properties by conducting a thorough search of deed records at the county courthouse (or online courthouse) that's local to the project and provide copies of the legal documentation to substantiate legal ownership findings for the properties located within the project area. Employees and/or subcontractors hired to perform realty related work will be familiar with the proper techniques and procedures in property research. L.A. Gates will contact the landowner and acquire all Rights of Entry including Exploratory Rights of Entry (EROE), Construction Rights of Entry (CROE), and temporary and permanent ingress/egress rights for projects. Furthermore, L.A. Gates realty agent will provide progress information on the WVDEP/AMLNET system as required. The Realty Agent will communicate with WVDEP's Real Estate Representative as to progress of landowner negotiations, landowner questions to be addressed, and status of landowner agreements. If a landowner requests to be an additional insurer, the landowners making the request will be added as an additional insured. L.A. Gates' Realty Agent that conducted landowner negotiations and acquired the rights of entry will attend the pre-bid and pre-construction meetings to address any realty related issues. Consideration will be given to the fact that ownership can also change during the

time period between a pre-bid and pre-construction and would require new CROE agreement(s). CROE Realty packets will be updated to make sure that no property has changed ownership prior to the actual Pre-Construction meeting and if so, new agreements will be obtained. Pre-Construction photos of the site(s) will be taken and uploaded into AMLNET along with the EROE and CROE Realty packets. It is assumed that L.A. Gates personnel will have access to AMLNET. If there is a dispute or question as to boundary lines, an attempt will be made to sign up both sides/owners in efforts to avoid a boundary survey. Boundary Surveys conducted by a WV licensed Land Surveyor or title opinions to be completed by an attorney in efforts to resolve boundary disputes and ownership will be discussed with DEP Engineers and Realty before taking any action.

For general purposes, no surveying of property lines or hostile landowners are included in this scope of services. The Design Representative will serve as the realty representative at the Pre-Bid and Pre-Construction Conferences. There is an ongoing litigation between adjacent property owners that will be considered when assembling the project documents.

Task III: Design – This task will include a detailed site visit to analyze alternatives to complete the assignment. Any additional concerns discovered that were not included in the initial site visit with the AML team will be brought to the attention of your office immediately prior to proceeding with design.

Once historic mining data is collected, surveying will be conducted to locate potential boring areas to locate the subsurface sources of mine run-off. Topographic data will be collected for the potential areas of collection and conveyance of the mine water as well as existing features. Benchmarks and control will also be set for the planning and construction of the project. Detailed site photos will also be taken to ensure the pre and post conditions are maintained. Property information will be shown on the plans using the tax map information unless otherwise specified.

Geotechnical work will include clearing and grubbing of boring locations and an estimated six (6) boreholes for exploratory purposes. Once the mining voids have been established, one piezometer will be placed in a concrete pad and include a locking cap. A report will be given identifying the depth and location of all drilling and findings. Upon completion of the geotechnical work, access roads and/or drill pads will be regraded to approximate existing grade. Disturbed areas will be seeded and mulched upon completion of the investigation.

Plans will be developed for the purpose of bidding and construction to include erosion and sediment control, capturing and conveyance of the mine water from the capped landfill, and offsite or into a stormwater management facility. We anticipate utilizing the standard details that were provided by your office to maintain continuity with your current projects.

L.A. Gates will prepare and submit a Construction National Pollutant Discharge Elimination System Storm Water permit (NPDES). If necessary, the submission may be supplemented with the final design drawings should a substantial revision occur. Any disturbance necessary of the capped areas of the landfill will be coordinated through the necessary regulatory channels that oversee the management of the facility.

Construction cost estimates and project timelines will be developed for the project. A project schedule will be developed using Microsoft Project. Cost estimates will be assembled using comparative bid information, engineering estimates, and/or consultation with construction contractors.

Attendance at both a pre-bid conference and pre-construction conference will be performed to assist the AML staff or conduct the meetings on your behalf. This will include addressing contractors' concerns and questions and development of any necessary addendums for the project documents.

Task IV: Construction Oversight – This task will include field personnel to oversee the construction of the project and monitor site conditions and construction progress. This will ensure that the contractor is meeting the requirements of the design for the area improvements. A daily report will be developed by our field personnel documenting the work performed, daily weather and staff, site pictures, and status of the maintenance of erosion sediment control. Also included in this are site visits by L.A. Gates personnel to oversee compliance with applicable laws, such as certified payroll, verifying contractor compliance with the Davis-Bacon Act and Infrastructure Investment and Jobs Act (IIJA) regarding employing current and former employees of the coal industry. L.A. Gates will input the daily report information into AMLNET. At the conclusion of construction, L.A. Gates will certify the project was built in accordance with the plans and specifications. For budgeting purposes, construction is estimated for 175 calendar days.

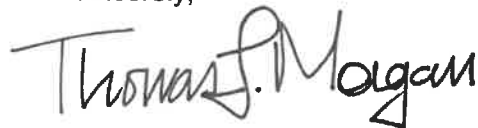
Task V: Post Construction Oversight – Once construction is completed, a senior engineer will visit the site with the inspector to approve the conditions of the project area and assessment of final field drawings. Certification of the as-built drawings will be completed showing any changes that may have occurred during construction.

We have developed the initial cost estimate using the U.S. General Service Administration rates published online at www.gsa.gov. This included the following:

Per Diem (meals and incidentals)	\$59
Per Diem (lodging)	\$107
Mileage	\$0.67

We appreciate the opportunity to submit this fee proposal for the Wyoming County LCAP project. Should you have any questions or require additional information, please don't hesitate to contact me at 304-880-0938 or by email at lmorgan@lagates.com.

Sincerely,



Thomas L. Morgan, PE
Director of Utility Services
L.A. Gates Company, Inc.

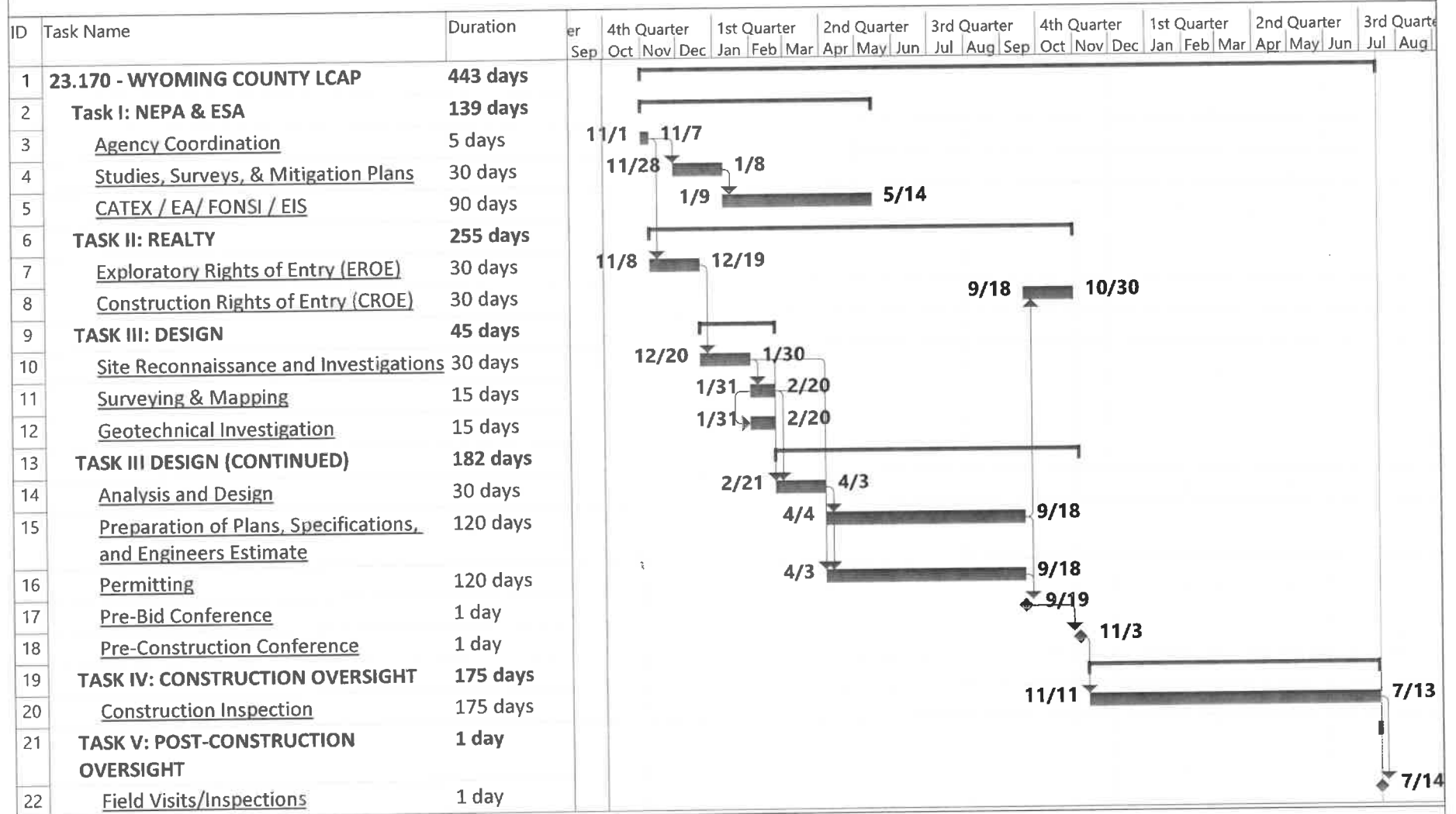
Attachments



L.A. Gates Company
Engineers & Consultants

WYOMING COUNTY LCAP AML CONTRACT S1 PROJECT TIMELINE

JN 23.170



Project: Wyoming LCAP
Date: Mon 9/30/24

Task
Milestone

Summary

Project Summary

Progress

OFFICE OF ABANDONED MINE LANDS AND RECLAMATION
APPLICATION AND CERTIFICATE FOR PAYMENT

TO: WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ABANDONED MINE LANDS AND RECLAMATION
601 57TH ST SE
CHARLESTON, WV 25304

APPLICATION NUMBER: 1

PUR. ORD. NO.: Pending

CONTRACT NAME: 2023 AML Contract S1

ATTN: Jonathan Holbert, P.E.

VENDOR: L A GATES COMPANY

ADDRESS: 2302 S FAYETTE ST
BECKLEY, WV 25801

REMIT ADDRESS: Same

OASIS VENDOR CUSTOMER NUMBER: 205209

DATES OF SERVICE: FROM 1-Dec-23 TO 31-Dec-23

DATE OF APPLICATION FOR PYMT: 1-Jan-24

COMMODITY LINE	PROJECT NO.:	DESCRIPTION (Project Name)	AMOUNT DUE THIS INVOICE
1	EPAM xxxxx	Project 1 Name	\$0.00
2	EPAM xxxxx	Project 2 Name	\$0.00
3	EPAM xxxxx	Project 3 Name	\$0.00
4	EPAM xxxxx	Project 4 Name	\$0.00
5	EPAM xxxxx	Project 5 Name	\$0.00
6	EPAM xxxxx	Project 6 Name	\$0.00
7	EPAM xxxxx	Project 7 Name	\$0.00
		TOTAL AMOUNT DUE THIS INVOICE	\$0.00

INVOICE TYPE: REG. ☒]
NO. 1

ALL WORK IS COMPLETE AND THIS IS THE FINAL INVOICE ON THIS CONTRACT:
YES ☐] NO ☒]

SIGNATURES AND DATES:

REALTY REPRESENTATIVE

PLANNING REPRESENTATIVE

DESIGN REPRESENTATIVE

CONSTRUCTION REPRESENTATIVE

AML REPRESENTATIVE

ORIGINAL CONTRACT SUM \$326,150.00
NET CHANGE BY CHANGE ORDERS \$0.00
TOTAL CONTRACT SUM TO DATE \$326,150.00
TOTAL BILLED TO DATE \$0.00
LESS PREVIOUS PAYMENT TO DATE \$0.00
CURRENT PAYMENT DUE \$0.00

% COMPLETE: \$0.00 0.00%
\$326,150.00

The undersigned Vendor certifies that the work covered by this Application for Payment has been completed in accordance with the Contract Documents and that the current payment shown herein is now due.

VENDOR SIGNATURE AND DATE

VENDOR PRINTED NAME

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION												
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT												
Purchase Order No.: Pending						Application No.: 1			Page 2 of 6 Pages			
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: WYOMING COUNTY LCAP												
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE		
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST	
TASK I: NEPA & ESA												
A	Agency Coordinations (including Office Work, AMLNET, etc.)											
1	Project Manager / Senior Engineer	HR	16	\$175.00	\$2,800.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	12	\$125.00	\$1,500.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	40	\$100.00	\$4,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	2	\$59.00	\$118.00		\$0.00		\$0.00	0.0	\$0.00	
B	Public Involvement (including Legal Ads, Public Hearings, Documents, Presentations, WVDEP's Website, etc.)											
1	Project Manager / Senior Engineer	HR	0	\$175.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	0	\$125.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	0	\$100.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	0	\$0.67	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
C	Studies, Surveys & Mitigation Plans											
1	Project Manager / Senior Engineer	HR	8	\$175.00	\$1,400.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	24	\$125.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Bat Study	HR	0	\$3,500.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	4	\$59.00	\$236.00		\$0.00		\$0.00	0.0	\$0.00	
D	CATEX / EA / FONSI / EIS											
1	Project Manager / Senior Engineer	HR	24	\$175.00	\$4,200.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Technical Scientist	HR	24	\$125.00	\$3,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Planning / Technical Specialist	HR	60	\$100.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00	
4	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
5	Mileage	Mile	800	\$0.67	\$536.00		\$0.00		\$0.00	0.0	\$0.00	
6	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 2 COST	\$29,651.00	SUBTOTAL PAGE 2 PREVIOUS	\$0.00	SUBTOTAL PAGE 2 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 2 TO DATE	\$0.00

CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Page 3 of 6 Pages

Project Name:	WYOMING COUNTY LCAP
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WORK COMPLETEDAML-7A (Revised 7/5/2023)

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending						Application No.: 1		Page 5 of 6 Pages				
Contract Name: 2023 AML Contract S1												
Commodity Line: 1												
Project Name: WYOMING COUNTY LCAP												
SCHEDULE PER CONTRACT						WORK COMPLETED						
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	PREVIOUS UNITS	PREVIOUS BILLED COST	THIS APPLICATION UNITS	AMOUNT DUE THIS APPLICATION COST	TOTAL BILLED TO DATE		
										UNITS	COST	
TASK III: DESIGN (CONTINUED)												
D	ANALYSIS AND DESIGN											
1	Project Manager / Senior Engineer	HR	60	\$175.00	\$10,500.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Environmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Staff Engineer	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00	
5	CADD Technician	HR	40	\$85.00	\$3,400.00		\$0.00		\$0.00	0.0	\$0.00	
E	PREPARATION OF PLANS, SPECIFICATIONS AND ENGINEERS ESTIMATE											
1	Project Manager / Senior Engineer	HR	60	\$175.00	\$10,500.00		\$0.00		\$0.00	0.0	\$0.00	
2	Geotechnical Engineer	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
3	Environmental Specialist	HR	0	\$0.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
4	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
5	Staff Engineer	HR	120	\$100.00	\$12,000.00		\$0.00		\$0.00	0.0	\$0.00	
6	CADD Technician	HR	120	\$85.00	\$10,200.00		\$0.00		\$0.00	0.0	\$0.00	
F	PERMITTING											
1	Project Manager / Senior Engineer	HR	40	\$175.00	\$7,000.00		\$0.00		\$0.00	0.0	\$0.00	
2	Engineer / Environmental Scientist	HR	80	\$100.00	\$8,000.00		\$0.00		\$0.00	0.0	\$0.00	
3	Clerical	HR	40	\$60.00	\$2,400.00		\$0.00		\$0.00	0.0	\$0.00	
4	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
5	Per Diem	Day	0	\$59.00	\$0.00		\$0.00		\$0.00	0.0	\$0.00	
G	PRE-BID CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Mileage	Mile	200	\$0.67	\$134.00		\$0.00		\$0.00	0.0	\$0.00	
3	Per Diem	Day	1	\$59.00	\$59.00		\$0.00		\$0.00	0.0	\$0.00	
H	PRE-CONSTRUCTION CONFERENCE											
1	Project Manager / Senior Engineer	HR	10	\$175.00	\$1,750.00		\$0.00		\$0.00	0.0	\$0.00	
2	Construction Inspector	HR	10	\$90.00	\$900.00		\$0.00		\$0.00	0.0	\$0.00	
3	Mileage	Mile	400	\$0.67	\$268.00		\$0.00		\$0.00	0.0	\$0.00	
					SUBTOTAL PAGE 5 COST	\$79,529.00	SUBTOTAL PAGE 5 PREVIOUS	\$0.00	SUBTOTAL PAGE 5 THIS APPLICATION	\$0.00	SUBTOTAL PAGE 5 TO DATE	\$0.00

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT

Purchase Order No.: Pending

Application No.: 1	Page 6 of 6 Pages
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Contract Name:	2023 AML Contract S1
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Commodity Line: 1

Project Name: **WYOMING COUNTY LCAP**

WORK COMPLETED	
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PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE
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TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	COST	UNITS	COST	UNITS	COST	UNITS	COST
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TASK IV: CONSTRUCTION OVERSIGHT									
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A		Construction Inspection						\$0.00		\$0.00	0.0	\$0.00
	1	Project Manager / Senior Engineer	HR	100	\$175.00	\$17,500.00						
	2	Construction Inspector										
	a	Construction Inspection	HR	1000	\$90.00	\$90,000.00		\$0.00		\$0.00	0.0	\$0.00
	b	Office Work / AMLNET	HR	100	\$60.00	\$6,000.00		\$0.00		\$0.00	0.0	\$0.00
	c	Mileage	Mile	12000	\$0.67	\$8,040.00		\$0.00		\$0.00	0.0	\$0.00
	d	Per Diem	Day	60	\$59.00	\$3,540.00		\$0.00		\$0.00	0.0	\$0.00

TASK V: POST-CONSTRUCTION OVERSIGHT	
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[illegible]

PROJECT TOTAL COST	\$326,150.00	PROJECT TOTAL PREVIOUS	\$0.00	PROJECT TOTAL THIS APPLICATION	\$0.00	PROJECT TOTAL TO DATE	\$0.00
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WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF ABANDONED MINE LANDS & RECLAMATION											
CONTINUATION SHEET OF APPLICATION AND CERTIFICATE FOR PAYMENT											
Purchase Order No.: Pending						Application No.: 1			Page X of X Pages		
Contract Name: 2023 AML Contract S1						THE GRAND TOTALS HERE COULD BE MADE A SEPARATE 'SHEET' SO TO SUM ALL PROJECT TOTALS EACH PROJECT COULD/SHOULD BE ON A SEPARATE 'SHEET', AND PAGE NUMBERS CORRECTED AS NEEDED					
Commodity Line: N/A											
Project Name: N/A						WORK COMPLETED					
SCHEDULE PER CONTRACT						PREVIOUS	PREVIOUS BILLED	THIS APPLICATION	AMOUNT DUE THIS APPLICATION	TOTAL BILLED TO DATE	
TASK	DESCRIPTION	UNIT	CONTRACT QUANTITY	UNIT BID PRICE	UNIT BID PRICE	UNITS	COST	UNITS	COST	UNITS	COST
CONTRACT NAME: . Contract S1						GRAND TOTAL COST	\$326,150.00	GRAND TOTAL PREVIOUS	\$0.00	GRAND TOTAL THIS APPLICATION	\$0.00
										GRAND TOTAL TO DATE	\$0.00

AML-7 (Revised 7/5/2023)

CHANGE ORDER SUMMARY

Change Order	Approved Date	Additions \$+	Deductions \$-	Generalized Justification for or Description of Change Order
X	X			
X	X	\$0.00		
x	x		\$0.00	
TOTAL		\$0.00	\$0.00	
NET		\$0.00		