



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

Request for Quotation

RFQ NUMBER
DEP13959

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**CHUCK BOWMAN
 304-558-2157**

VENDOR FOR

RFQ COPY
TYPE NAME/ADDRESS HERE
DIRTWORKS DEVELOPMENT LLC
4529 BLANKENSHIP ROAD
HUNTINGTON WV 25701

SHIP TO

**ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WASTE MANAGEMENT
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/27/2008				

BID OPENING DATE: **04/03/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-86		
ROAD INSTALLATION BIDDING REGION III ONLY						\$119,970.00
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DIVISION OF LAND RESTORATION, SEEKS BIDS TO PROVIDE LANDFILL ACCESS AND WELL ROAD CONSTRUCTION AT TEN (10) FACILITIES AS OUTLINED ON THE ATTACHED SPECIFICATIONS, TERMS & CONDITIONS, AND SCOPE OF WORK.</p> <p>MANDATORY PRE-BID WILL BE HELD 03/12/2008 @ 10:00 AM, AT DEP HEADQUARTERS LOCATED AT 601 57TH ST SE, CHARLESTON, WV 25304. CALL 304.926.0499 FOR DIRECTIONS. FAILURE TO ATTEND THIS MANDATORY PRE-BID MEETING WILL RESULT IN THE DISQUALIFICATION OF THE VENDOR'S BID.</p> <p>IT IS THE AGENCY'S INTENT TO AWARD THIS CONTRACT IN WHOLE TO ONE CONTRACTOR; HOWEVER, THE AGENCY RESEVES THE RIGHT TO AWARD BASED ON REGION AND SPLIT THE AWARD IF IT IS IN THE BEST INTEREST OF THE AGENCY AND THE STATE TO DO SO.</p> <p>PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS</p> <p>1. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED USED IN THIS CONTRACT,</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Erick Sogard</i>	TELEPHONE 304 736-3719	DATE 4/02/08
TITLE PRESIDENT	FERN 42-1528915	ADDRESS CHANGES TO BE NOTED ABOVE

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

**GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA Business Associate Addendum -** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

SIGNED BID TO:

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



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				<p>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 HEATIN 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.</p> <p>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 OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS.</p> <p>C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.</p> <p>2. THE DIRECTOR OF THE PURCHASING DIVISION MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:</p> <p>A. 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,</p>		

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<p>B. 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.</p> <p>3. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56.</p> <p>REV. 10/01/01</p> <p>EXHIBIT 5</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 365 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HERE IN.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR THE IDENTIFIED COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. VISIT: HTTP://WWW.WVSOS.ORG/ADLAW/WAGERATES/BUILDING08.HTM FOR RATES.</p>						

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VENDOR

CUSTOMER

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<p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>() BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL B SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN TH STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A PERFORMANCE AND LABOR & MATERIAL BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPCTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.</p>						

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<p>() MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE 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, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN</p>						

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STATE

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<p>PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID</p>						

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DIRTWORKS DEVELOPMENT LLC
 4529 BLANKENSHIP ROAD
 HUNTINGTON WV 25701

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<p>OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NOS.:</p> <table border="0"> <tr> <td>NO. 1</td> <td>.....</td> <td>X</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>NO. 2</td> <td>.....</td> <td>X</td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>NO. 3</td> <td>.....</td> <td></td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>NO. 4</td> <td>.....</td> <td></td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>NO. 5</td> <td>.....</td> <td></td> <td>.....</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </table> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p>							NO. 1	X	NO. 2	X	NO. 3	NO. 4	NO. 5
NO. 1	X																																			
NO. 2	X																																			
NO. 3																																			
NO. 4																																			
NO. 5																																			

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SIGNATURE <i>Eric D. Sargent</i>	TELEPHONE 304 736 3719	DATE 4/02/08
TITLE PRES.	FEIN 42-152 8915	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p><i>Eric J. Sagert</i> SIGNATURE <i>DIRTWORKS DEVELOPMENT LLC</i> COMPANY <i>04/02/08</i> DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE: CONTRACTORS NAME: <i>DIRTWORKS DEVELOPMENT LLC</i></p>						

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SIGNATURE <i>Eric J. Sagert</i>	TELEPHONE <i>304-736-3719</i>	DATE <i>04/02/08</i>
TITLE <i>PRES.</i>	FEIN <i>42-1528915</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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BID OPENING DATE: **04/03/2008** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>CONTRACTORS LICENSE NO.: <u>WV 029331</u></p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>REV. 1/2005</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Eric A. Sager</i>	TELEPHONE 304 736 3719	DATE 04/02/08
TITLE PRES	FEIN 42-152 8915	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Request for Quotation

RFQ NUMBER
DEP13959

PAGE
10

ADDRESS CORRESPONDENCE TO ATTENTION OF
**CHUCK BOWMAN
 304-558-2157**

RFQ COPY
 TYPE NAME/ADDRESS HERE

**DIRTWORKS DEVELOPMENT, LLC
 4529 BLANKENSHIP ROAD
 HUNTINGTON WV 25701**

**ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WASTE MANAGEMENT
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499**

DATE PRINTED 02/27/2008	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **04/03/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: CB-23</p> <p>REQ. NO.: DEP13959</p> <p>BID OPENING DATE: 04/03/2008</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304 736 8242</p> <hr/> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: MARVIN REYNOLDS</p> <hr/> <p>***** THIS IS THE END OF RFQ DEP13959 ***** TOTAL:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Eric A. Sargent</i>	TELEPHONE 304 736 3719	DATE 04/02/08
TITLE PRESIDENT	FEIN 42-1045 152 8915	ADDRESS CHANGES TO BE NOTED ABOVE

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

Landfill Access and Well Road Installation

To provide landfill access and well road installation at 10 facilities managed within the Landfill Closure Assistance Program (LCAP) in West Virginia. Please see attached specifications.

General Conditions:

A mandatory Pre-bid Conference will be held at the WVDEP, Office of Environmental Remediation located at 601 - 57th Street, SE, Charleston, WV 25304.

This contract shall provide for all labor, materials, transportation, tools, equipment, supplies, and incidentals to: 1) install new access or well roads with not less than a 6 oz filter fabric overlaid with a 10 foot wide by 6 inch thick of #1 stone, 2) installation of diversion ditches (where needed) and 3) 18" culvert piping (where needed). The culvert piping may be constructed of durable plastic with corrugations on the outside and smooth on the inside or better as directed by the project manager. The contractor shall provide equipment suitable to the WV DEP for performing the work. Any modifications shall be requested in writing and shall be approved or disapproved in writing by the WV DEP LCAP program manager.

The contractor shall be responsible for locking the facilities while no one is present. The contractor shall be provided a key to the commonly keyed locks installed by WV DEP.

Maintaining Access:

The WV DEP will be responsible for maintaining reasonable access to all areas necessary for completion of the contract. The contractor will report excessive deterioration to landfill caps and access roads and other damages if encountered, to allow for repair to be scheduled and completed in a timely manner.

Work and services to be performed under this contract shall be subject to continuous monitoring and inspection by the State's authorized representatives.

Method of measurement:

Road installation, and culverts shall be measured as a "per foot" unit, cost including all labor, equipment, materials, transportation, and incidentals to obtain results satisfactory to the DEP.

Method of payment:

Invoices may be submitted upon completion of each site or a combination of two or more sites. Invoices must be submitted to the regional office listed below.

Region One

West Virginia Department of Environmental Protection
Division of Land Restoration, LCAP
2031 Pleasant Valley Road
Fairmont, WV 26554
Attn: Paul Benedum
Phone: (304) 368-2000 ext. 3729

Region Three

West Virginia Department of Environmental Protection
Division of Land Restoration, LCAP
717-A Main Street Annex
Summersville, WV 26651
Attn: Clyde Bennett
Phone: (304) 872-3800

Attachment A

Listed below are the LCAP facilities and footages to be installed under this RFQ

<u>Region One Includes:</u>	Footages to be installed		
	Road	Ditch	Culvert
1. City of Clarksburg Landfill	1,200 LF	1000 LF	60 LF
2. Marion County Landfill	500 LF	0 LF	20 LF
3. Monongalia County Landfill	1,200 LF	0 LF	20 LF
4. <u>City of Wheeling Landfill</u>	800 LF	500 LF	60 LF
Total Footage	3,700 LF	1,500 LF	160 LF

<u>Region Three Includes:</u>	Footages to be installed		
	Road	Ditch	Culvert
1) Central WV Refuse Landfill	1,800 LF	1,500 LF	80 LF
2) Don's Disposal Landfill	1,400 LF	1,000 LF	60 LF
3) ERO Landfill	200 LF	200 LF	40 LF
4) Mingo County Landfill	700 LF	500 LF	60 LF
5) Pine Creek / Omar Landfill	300 LF	300 LF	40 LF
6) <u>City of South Charleston Landfill</u>	1,500 LF	1,500 LF	80 LF
Total Footage	5,900 LF	5,000 LF	360 LF

#DEP13959

013

**BID SCHEDULE
Region I**

Department of Environmental Protection
Office of Environmental Remediation
Landfill Closure Assistance Program

Landfill Road Installation Region One

<u>Item No.</u>	<u>Description</u>		<u>FT</u>	<u>Unit Price</u>	<u>Amount</u>
0001	Install new access or well road	3,700	LF	_____ \$ / LF	_____
0002	Install diversion ditch	1,500	LF	_____ \$ / LF	_____
0003	18 inch Culvert	160	LF	_____ \$ / LF	_____

NOT BID

Total Project Cost = _____

Company Name _____

Address: _____

Name (printed) _____ Title _____

Signature _____ Date _____

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable. Pursuant to Legislative Rule 148-CSR1, 6.4.2



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

Request for Quotation

RFQ NUMBER
DEP13959

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
CHUCK BOWMAN
304-558-2157

SHIP TO

Dirtworks Development LLC
Attention: Marvin Reynolds
4529 Blankenship Road
Huntington, WV 25701

SHIP TO

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF WASTE MANAGEMENT
601 57TH STREET SE
CHARLESTON, WV
25304 **304-926-0499**

DATE PRINTED 03/24/2008	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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BID OPENING DATE: **04/03/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
ADDENDUM ISSUED TO DISTRIBUTE REVISED BID SCHEDULE FOR REGION III THAT WAS MIS-LABELED AS REGION II IN THE ORIGINAL RFQ DOCUMENTATION. PLEASE REMOVE PAGE 14 OF THE ORIGINAL RFQ AND REPLACE WITH THE ATTACHED REVISED PAGE 14.						
BID DATE AND OPENING TIME REMAIN 04/03/08 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	JB		962-86		
ROAD INSTALLATION						<i>REGION III ONLY</i> \$119,970.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Eric P. Saget* TELEPHONE **304 633 2507** DATE **04/03/08**

TITLE **PRES.** FEIN **42-152 8915** ADDRESS CHANGES TO BE NOTED ABOVE

014

#DEP13959
REVISED per ADDENDUM #2
BID SCHEDULE
Region III

Department of Environmental Protection
Office of Environmental Remediation
Landfill Closure Assistance Program

Landfill Road Installation Region Three

<u>Item No.</u>	<u>Description</u>		<u>FT</u>	<u>Unit Price</u>	<u>Amount</u>
0001	Install new access or well road	5,900	LF	\$ 18.50 / LF	\$ 109,150.00
0002	Install diversion ditch	5,000	LF	\$ 1.30 / LF	\$ 6,500.00
0003	18 inch Culvert	360	LF	\$ 12.00 / LF	\$ 4,320.00

Total Project Cost = \$ 119,970.00

Company Name DIRTWORKS DEVELOPMENT LLC

Address: 4529 BLANKENSHIP ROAD, HUNTINGTON WV 25701

Name (printed) ERIC F. SARGENT

Title PRES.

Signature Eric F Sargent

Date 04/02/08

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable. Pursuant to Legislative Rule 148-CSR1, 6.4.2

BID BOND

015

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, _____
of _____, _____, as Principal, and _____
of _____, _____, a corporation organized and existing under the laws of the State of _____
with its principal office in the City of _____, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of _____ (\$ _____) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
_____ day of _____, 20____.

Principal Corporate Seal

(Name of Principal)

By _____
(Must be President or
Vice President)

(Title)

Surety Corporate Seal

(Name of Surety)

Attorney-in-Fact

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

BID BOND PREPARATION INSTRUCTIONS

16

AGENCY (A)
RFQ/RFP# (B)

Bid Bond

- (A) WV State Agency (Stated on Page 1 "Spending Unit") Request for Quotation Number (upper right corner of page #1)
(C) Your Company Name
(D) City, Location of your Company
(E) State, Location of your Company
(F) Surety Corporate Name
(G) City, Location of Surety
(H) State, Location of Surety
(I) State of Surety Incorporation
(J) City of Surety Incorporation
(K) Minimum amount of acceptable bid bond is 5% of total bid. You may state "5% of bid" or a specific amount on this line in words.
(L) Amount of bond in figures
(M) Brief Description of scope of work
(N) Day of the month
(O) Month
(P) Year
(Q) Name of Corporation
(R) Raised Corporate Seal of Principal
(S) Signature of President or Vice President
(T) Title of person signing
(U) Raised Corporate Seal of Surety
(V) Corporate Name of Surety
(W) Signature of Attorney in Fact of the Surety

NOTE: Dated, Power of Attorney with Raised Surety Seal must accompany this bid bond.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, (C) of (D), (E), as Principal, and (F) of (G), (H), a corporation organized and existing under the laws of the State of (I) with its principal office in the City of (J), as Surety, are held and firmly bound unto The State of West Virginia, as Oblige, in the penal sum of (K) (\$ (L)) for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the Department of Administration a certain bid or proposal, attached hereto and made a part hereof to enter into a contract in writing for (M)

NOW THEREFORE.

- (a) If said bid shall be rejected, or
(b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the agreement created by the acceptance of said bid then this obligation shall be null and void, otherwise this obligation shall remain in full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated

The Surety for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of time within which the Oblige may accept such bid: and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed hereto and these presents to be signed by their proper officers, this (N) day of (O), 20 (P).

Principal Corporate Seal

(R)

(Q)
(Name of Principal)
By (S)
(Must be President or Vice President)
(T)
Title

Surety Corporate Seal

(U)

(V)
(Name of Surety)

(W)
Attorney-in-Fact

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised Corporate Seals must be affixed and a Power of Attorney must be attached.

STATE OF WEST VIRGINIA
Purchasing Division

017

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

LICENSING: Vendors 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 agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY: The vendor agrees that he or she 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. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

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

Vendor's Name: DIRTWORKS DEVELOPMENT LLC

Authorized Signature: *Eric R. Sogut* Date: 04/02/08



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

**Request for
 Quotation**

RFQ NUMBER
DEP13959

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**CHUCK BOWMAN
 304-558-2157**

**Dirtworks Development LLC
 Attention: Marvin Reynolds
 4529 Blankenship Road
 Huntington, WV 25701**

SHIP TO

**ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WASTE MANAGEMENT
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/18/2008				

BID OPENING DATE: **04/03/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				<p>ADDENDUM ISSUED FOR THE LANDFILL ACCESS AND WELL ROAD CONSTRUCTION PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS FROM THE 03/12/08 PRE-BID MEETING, AS WELL AS THE Q/A RESULTING FROM THAT MEETING AND THE REVISED CONTACT INFORMATION FOR REGION II. ALSO ATTACHED IS THE REVISED BID SHEETS AND ATTACHMENT "A".</p> <p>BID DATE AND OPENING TIME REMAIN UNCHANGED AS 04/03/08 AT 1:30 PM.</p> <p>***** NO OTHER CHANGES *****</p>		
0001	1	JB		962-86		
				ROAD INSTALLATION		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Eri of So...</i>	TELEPHONE 304 736-3719	DATE 04/02/08
TITLE PREs.	FEIN 42-1528915	ADDRESS CHANGES TO BE NOTED ABOVE

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP-13959
Project: Road Installation

Bid Date: 4/3/09
Pre-Bid Date: 3/12/09

Name : CRAIGO CRAVENS
Company: Bosley Const.
Address: Parkersburg, WV

Phone #: _____
Fax #: _____
Email : _____

Name : J.R SPENCER
Company: ROMIE SPENCER, INC
Address: H.C. 74, Box 201
STRANGE CREEK, WV

Phone #: 304-324-8624
Fax #: 364-8376
Email : RH520city.net.net

Name : Roger Hill
Company: Hill's Contracting Inc.
Address: 2110 Box 95
Buckhannon, WV 26201

Phone #: 304-472-6409
Fax #: 304-473-1722
Email : R.Hill @ Cebridge.wv.net

Name : Carrie Belt
Company: Triph H Construction
Address: P.O. Box 176
Beverly, WV 26253

Phone #: 304-636-1194
Fax #: 304-636-3680
Email : _____

Name : Allen Marker
Company: Garcie R. Marker & Sons
Address: 1119 Jefferson Rd.
So. Chas. WV. 25309

Phone#: 744-0590
Fax #: 746-5203
Email : _____

Name : Basil Carpenter
Company: J & B Excavating Inc.
Address: 0333 A Cole Rd.
Chas, WV 25312

Phone#: 984-3528
Fax #: 984-3528
Email : Basil Carpenter @ AOL.COM

Name : Randy Carpenter
Company: Carpenter Reclamation
Address: P.O. Box 13615
Sissonville WV
25360

Phone#: 984-1115
Fax #: 984-2770
Email : RCarpenter103@aol.com

Name : Richard H. Petty
Company: BROWNS EXCAVATING INC
Address: Sisterville WVA.
55 Best Club Dr. 26125

Phone#: (304) 652-2842
Fax #: (304) 652-1508
Email : bei@ncvideo.com

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP-13959
Project: Road Installation

Bid Date: 4/3/08
Pre-Bid Date: 3/12/08

Name : Clude BENNETT
Company: WV DEP
Address: 601 5th St
Charleston

Phone #: 304-389-8180
Fax #: 304-872-3800
Email : C.Bennett@wvdep.org

Name : Mark Cline
Company: WV DEP
Address: 601 5th Street
Charleston, WV

Phone #: 304 926-0499
Fax #: 304-926-0482
Email : mcline@wvdep.org

Name : Mark Church
Company: WV DEP
Address: 717A Main St
Summersville, WV 26651

Phone #: 545-0793
Fax #: 872-3800
Email : mchurch@wvdep.org

Name : Paul Benedum
Company: WV DEP
Address: 2071 Pleasant Valley Rd
Fairmont WV 26354

Phone #: 940-0243
Fax #: 768-7953
Email : P.benedum@wvdep.org

Name : CLAUDE Cunningham
Company: DEPADAS Stone & Paving
Address: P.O. Box 10
GASSAWAY, WV 26024

Phone#: 304-364-5157
Fax #: 304-364-5153
Email : C.Cunningham@wvdep.org

Name : Mike Shisler
Company: Able Construction LLC
Address: HC 82 Box 203-A
MARTINSON WV 24954

Phone#: 304-779-4630
Fax #: SAME
Email : Ableconstructionllc@Yahoo.com

Name : TOD D. GREEN
Company: West Virginia Paving Inc.
Address: 2950 Charles Avenue
Dunbar WV 25064

Phone#: 768-9733
Fax #: 768-9351
Email : T.Green@WVPaving.com

Name : NANCY SOMERS
Company: MIDWAY RECLAMATION LLC
Address: P.O. BOX 308
WEST MILFORD, WV 26451

Phone#: 304-745-3652
Fax #: 304-745-3653
Email : MIDWAYRECLAMLLC@AOL.COM

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP-13959
Project: Road Installation

Bid Date: 4/3/08
Pre-Bid Date: 3/12/08

Name : MARYIN REYNOLDS
Company: DIRTWORKS DEVELOPMENT LLC
Address: 4529 BLANKENSHIP ROAD
HUNTINGTON WV 25701
Phone #: 304 360 2679
Fax #: 304 736 3719
Email : dirtworks979@netzero.net

Name : _____
Company: _____
Address: _____
Phone# : _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Name : _____
Company: _____
Address: _____

Phone #: _____
Fax # : _____
Email : _____

Phone# : _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Name : _____
Company: _____
Address: _____

Phone #: _____
Fax # : _____
Email : _____

Phone# : _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Name : _____
Company: _____
Address: _____

Phone #: _____
Fax # : _____
Email : _____

Phone# : _____
Fax # : _____
Email : _____

RECEIVED
2008 MAR 17 P 4:26
PURCHASING DIVISION
STATE OF WV

DEP13959 Pre-Bid Questions

Q. Can on road dump trucks get to the landfills?

A. Yes.

Q. Can a lowboy get to the landfill without dragging on the paved road?

A. Yes.

Q. When will DEP start using this contract?

A. DEP will use the contract as soon as the weather dries up, after the PO is issued.

Q. Does DEP know which landfill will be the first to get roads?

A. No, not at this time.

Q. How much time does the vendor have to complete the project?

A. The contract will be good for 365 days.

Q. Will the vendor be required to work two locations at the same time?

A. No.

Q. What firm is the driller for DEP?

A. CTL Engineering.

Q. Does the vendor need to perform compaction testing?

A. No.

Q. Will any landfill have any rock to excavate or cut through?

A. Wheeling is the only landfill to have any rock.

Q. Where will the stone for the roads come from?

A. The vendor can use whatever #1 stone is available to purchase near the landfill.

Q. Will there be culvert to install and will each landfill have culverts?

A. This will be site specific, and the vendor will need to have a backhoe available for each site.

Q. Will the culverts need splash pads?

A. No.

Q. Will this be awarded as one contract or three?

A. There will be an award for each region. The vendor can bid on 1, 2 or all 3 regions.

Q. The contract states that the vendor will need to report damage to the cap. Will the vendor be responsible for repairing it?

A. No, DEP just needs the vendor to report damage.

Q. The contract states that the vendor will need to report damage to the cap. Will the vendor be responsible for repairing it?

A. No, DEP just needs the vendor to report damage.

Q. Will the vendor be required to seed disturbances?

A. No.

Q. Will a PE or licensed surveyor need to make the measurements?

A. No the DEP will make the measurements with a measuring wheel.

Q. Will the vendor be compensated for extra stone if they encounter a soft spot?

A. If the vendor needs to add double the profile to one spot, they will be paid for the first profile plus the second.

Q. What is the maximum cut?

A. Just sod.

Q. Where will the vendor dispose of cut trees or brush?

A. Cut trees or brush will be left at the landfill.

Q. If the vendor disturbs an area and slippage occurs, who will be responsible?

A. During construction, the vendor is per EPA erosion controls. After the road is approved by DEP, it is the responsibility of DEP.

Q. Does the vendor need to supply a one year warranty on the work?

A. No.

Q. Are there directions to the landfill sites?

A. DEP will provide the successful vendor directions and meet with them on the site. This information is also available on the DEP website at: <http://gis.wvdep.org/lcap/>

Region Two contact information:

Region Two

West Virginia Department of Environmental Protection
Division of Land Restoration, LCAP
717-A Main Street Annex
Summersville, WV 26651
Attn: Mark Church
Phone: (304) 872-3800

**DEP13959
BID SHEET
REVISED PER ADDM.#1**

Department of Environmental Protection
Office of Environmental Remediation
Landfill Closure Assistance Program

Landfill Road Installation Region One

<u>Item No.</u>	<u>Description</u>		<u>FT</u>	<u>Unit Price</u>	<u>Amount</u>
0001	Install new access or well road	5,300	LF	_____ \$ / LF	_____
0002	Install diversion ditch	1,500	LF	_____ \$ / LF	_____
0003	18 inch Culvert	160	LF	_____ \$ / LF	_____

Total Project Cost = NOT BID

Company Name _____

Address: _____

Name (printed) _____ Title _____

Signature _____ Date _____

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable, pursuant to Legislative Rule 148-CSR1, 6.4.2.

**DEP13959
BID SHEET
REVISED PER ADDM.#1**
Department of Environmental Protection
Office of Environmental Remediation
Landfill Closure Assistance Program

~~Landfill Road Installation Region Two~~

<u>Item No.</u>	<u>Description</u>	<u>FT</u>	<u>Unit Price</u>	<u>Amount</u>
0001	Install new access or well road	1,800 LF	_____ \$ / LF	_____
0002	Install diversion ditch	0 LF	_____ \$ / LF	_____
0003	18 inch Culvert	50 LF	_____ \$ / LF	_____

Total Project Cost = NOT BID

Company Name _____

Address: _____

Name (printed) _____ Title _____

Signature _____ Date _____

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable, pursuant to Legislative Rule 148-CSR1, 6.4.2.

DEP13959
REVISED PER ADDM.#1

Attachment A

Listed below are the LCAP facilities and approximate footages to be installed under this RFQ

<u>Region One Includes:</u>	Approx Footages to be installed		
	Road	Ditch	Culvert
1. City of Clarksburg Landfill	1,800 LF	1000 LF	60 LF
2. Marion County Landfill	500 LF	0 LF	20 LF
3. Monongalia County Landfill	2,200 LF	0 LF	20 LF
4. <u>City of Wheeling Landfill</u>	800 LF	500 LF	60 LF
Approximate Totals	5,300 LF	1,500 LF	160 LF

<u>Region Two Includes:</u>	Approx Footages to be installed		
	Road	Ditch	Culvert
1) <u>Morgan County Landfill</u>	1,800 LF	0 LF	50 LF
Approximate Totals	1,800 LF	0 LF	50 LF

<u>Region Three Includes:</u>	Approx Footages to be installed		
	Road	Ditch	Culvert
1) Central WV Refuse Landfill	1,800 LF	1500 LF	80 LF
2) Don's Disposal Landfill	1,400 LF	1,000 LF	60 LF
3) ERO Landfill	200 LF	200 LF	40 LF
4) Mingo County Landfill	700 LF	500 LF	60 LF
5) Pine Creek / Omar Landfill	300 LF	300 LF	40 LF
6) <u>City of South Charleston Landfill</u>	1,500 LF	1,500 LF	80 LF
Approximate Total Footage	5,900 LF	5,000 LF	360 LF

Agency Purchasing
REQ. P.O.# DEPT 13959
Bond # 15976

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Dirtworks Development, LLC.
of 4529 Blankenship Rd. Huntington, WV 25701, as Principal, and American Southern Insurance
Company of 7512 Slate Ridge Blvd. Reynoldsburg, OH 43068, a corporation organized and existing under the laws of the State of Kansas
with its principal office in the City of Atlanta, GA, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Six Thousand Six Hundred and No/100 (\$6,600.00) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
DEP13959, Provide Access Roads to Various Monitoring Wells in Southern WV,
Under the DEP Landfill Closure Assistance Program

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this 3rd day of April, 2008.

Principal Corporate Seal

Dirtworks Development, LLC.

(Name of Principal)

By Eric F. Sargent

(Must be President or Vice President)

President
(Title)

Surety Corporate Seal

American Southern Insurance Company

(Name of Surety)

Andrew C. Heaner

Andrew C. Heaner, Attorney-in-Fact
Attorney-in-Fact

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

AMERICAN SOUTHERN INSURANCE COMPANY

Home Office: 200 S.W. 30th Street
Topeka, Kansas 66611

Mailing Address: 3715 Northside Pkwy, NW
Bldg 400, Ste 800
Atlanta, Georgia 30327

GENERAL POWER OF ATTORNEY

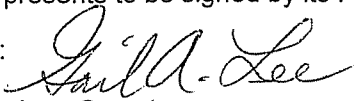
Know all men by these Presents, that the American Southern Insurance Company had made, constituted and appointed, and by these presents does make, constitute and appoint Stefan E. Tauger of Parker, Colorado; Donald J. Kersey of Birmingham, Alabama; Arthur S. Johnson of Atlanta, Georgia; Jessica B. Gardiner of Loganville, Georgia; Mary F. Holland of Chamblee, Georgia; Donald H. Gibbs of Atlanta, Georgia; Andrew C. Heaner of Atlanta, Georgia; Richard L. Shanahan of Atlanta, Georgia; Katherine S. Grimsley of Tampa, Florida; Jeffery L. Booth of Parma, Ohio; James E. Feldner of West Lake, Ohio; Cheryl L. Torrao of Canton, Georgia; Lloyd Randall Deal of Kennesaw, Georgia; Garry W. Black of Murfreesboro, Tennessee; Martha G. Ross of Charlotte, North Carolina; or David R. Brett of Columbia, South Carolina, EACH as its true and lawful attorney for it and its name, place and stead to execute on behalf of the said company, as surety, bonds, undertakings and contracts of suretyship to be given to all obligees provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount of the sum of \$1,000,000 (one million dollars), including but not limited to consents of surety for the release of retained percentages and/or final estimates on construction contracts or similar authority requested by the Department of Transportation, State of Florida; and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of the presents, shall be as binding upon the Company as if they had been duly signed by the President and attested by the Secretary of the Company in their own proper persons.


This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted pursuant to due authorization by the Executive Committee of the Board of Directors of the American Southern Insurance Company on the 26th day of May, 1998:

RESOLVED, that the Chairman, President or any Vice President of the Company be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the American Southern Insurance Company bonds, undertakings and all contracts of suretyship; and that any Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future, with respect to any bond undertaking or contract of suretyship to which it is attached.

In Witness Whereof, the American Southern Insurance Company has caused its official seal to be hereto affixed, and these presents to be signed by its President and attested by its Secretary this 13th day of June, 2007.


Attest: 
Gail A. Lee, Secretary

American Southern Insurance Company
By: 
Scott G. Thompson, President

STATE OF GEORGIA
SS:
COUNTY OF FULTON

On this 13th day of June, 2007, before me personally came Scott G. Thompson to me known, who being by me duly sworn, did depose and say that he resides in Atlanta, in the County of Fulton, State of Georgia, at 421 Hollydale Court; that he is the President of American Southern Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed and that he signed his name thereto pursuant to due authorization.

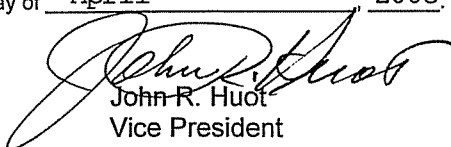
STATE OF GEORGIA
SS:
COUNTY OF FULTON

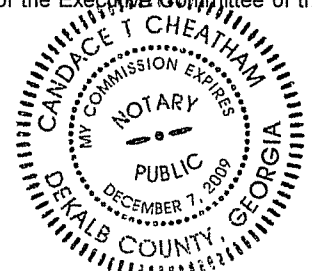
Candace T. Cheatham
Notary Public, State of Georgia
Qualified in DeKalb County
Commission Expires December 7, 2009


I, the undersigned, a Vice President of American Southern Insurance Company, a Kansas Corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and, furthermore, that the Resolution of the Executive Committee of the Board of Directors set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Atlanta, Dated the 3rd day of April, 2008.

Power No. 15976


John R. Huot
Vice President



State of West Virginia
Offices of the Insurance Commissioner
Certificate of Authority

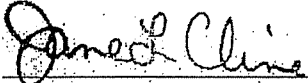
Whereas, AMERICAN SOUTHERN INSURANCE COMPANY domiciled in the State of Kansas has complied with all the requirements of the laws of this State so as to entitle it to transact its appropriate business in the State of West Virginia.

Therefore, I the undersigned, Insurance Commissioner of the State of West Virginia, pursuant to the authority vested in me by the laws of this State, do hereby authorize it to transact the business of insurance as defined in Chapter 33

ARTICLE 1, SECTION 10(c) -- FIRE
ARTICLE 1, SECTION 10(d) -- MARINE
ARTICLE 1, SECTION 10(e) -- CASUALTY
ARTICLE 1, SECTION 10(f) (1) (2) & (3) -- SURETY

of the 1931 Code of West Virginia as amended, in the State of West Virginia in accordance with the laws thereof until midnight on the 31st day of May, 2007, unless this license be sooner revoked. Pursuant to W. Va. Code 33-3-2(c), the above authorization does not allow the insurer to transact a kind of insurance in this State unless duly authorized or qualified to transact such insurance in the state or country of its domicile.

In Testimony Whereof, I have hereunto set my hand and affixed my seal of office at the City of Charleston this 1st day of June, 2006.


Jane L. Cline
Insurance Commissioner



WV File #0063

American Southern Insurance Company
NAIC Company Code 10235
NAIC Group Code 587

Statutory Financial Statement

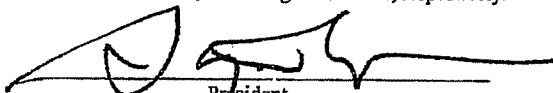
As of December 31, 2006

ASSETS		LIABILITIES	
Bonds	\$54,206,267	Reserve for Losses and Loss Expense	\$33,388,259
Stocks	26,239,019	Reserve for Unearned Premiums	21,217,908
Cash and Short-Term Investments	11,444,228	Reserve for Expenses, Taxes, Licenses and Fees	9,057,867
Agents Balances or Uncollected with Reinsured Companies	9,466,223	Payable to Parents, Subsidiaries and Affiliates	273,203
Other Assets	3,170,263	Other Liabilities	5,650,917
		Total Liabilities	69,588,154
		POLICYHOLDERS' SURPLUS	
		Capital Stock	3,000,000
		Surplus	31,937,846
		Total Policyholders' Surplus	34,937,846
Total Assets	\$104,526,000	Total Liabilities and Policyholders' Surplus	\$104,526,000

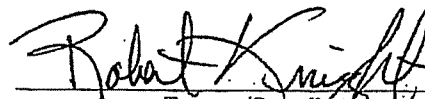
Bonds and stocks are valued in accordance with the basis adopted by the National Association of Insurance Commissioners (NAIC).

CERTIFICATE

The officers of this reporting entity being duly sworn, each depose and say that they are the described officers of said reporting entity, and that on the reporting period stated above, all of the herein described assets were the absolute property of the said reporting entity, free and clear from any liens or claims thereon, except as herein stated, and that this statement, together with related exhibits, schedules and explanations therein contained, annexed or referred to, is a full and true statement of all the assets and liabilities and of the condition and affairs of the said reporting entity as of the reporting period stated above, and of its income and deductions therefrom for the period ended, and have been completed in accordance with the NAIC Annual Statement Instructions and Accounting Practices and Procedures manual except to the extent that: (1) state law may differ; or, (2) that state rules or regulations require differences in reporting not related to accounting practices and procedures, according to the best of their information, knowledge and belief, respectively.



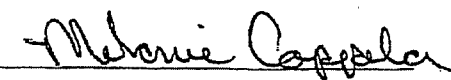
 President



 Treasurer/Controller

State of Georgia
 County of Fulton

On the 26th day of January 2007, before me came the above named officers of the American Southern Insurance Company to me personally known to be the individuals and officers described herein, and acknowledge that they executed the foregoing instrument and affixed the seal of said company thereto by authority of their office.



 Melonie Coppola, Notary Public
 My Commission Expires, May 17, 2010