



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:
DEP13972

PAGE:
1

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

**RFQ COPY
 TYPE NAME/ADDRESS HERE**

Marshall Miller and Associates, Inc.
 534 Industrial Park Road
 Bluefield, VA 24605

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/12/2007				

BID OPENING DATE: **10/04/2007** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		962-73		
<p>RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S OFFICE OF ENVIRONMENTAL REMEDIATION, IS SOLICITING BIDS FROM QUALIFIED VENDORS TO AWARD A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE REMOVAL OF UNDERGROUND STORAGE TANKS (UST) AND ASSESSMENTS AT DIFFERENT LOCATIONS IN SOUTH EASTERN WV, PER THE FOLLOWING SPECIFICATIONS, BID REQUIREMENTS, TERMS AND CONDITIONS, SCOPE OF WORK, AREAS OF COVERAGE, AND GENERAL CONDITIONS PER THE ATTACHED.</p> <p>IT IS PREFERRED THAT ALL CERTIFICATES REQUIRED PRIOR TO THE ISSUANCE OF THE PURCHASE AWARD/CONTRACT BE SUBMITTED BY THE SUCCESSFUL VENDOR WITHIN 48 HOURS OF THE INITIAL REQUEST.</p> <p>EXHIBIT 3:</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD, AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 276-322-5467	DATE October 4, 2007
TITLE Vice President	FEIN #54-0989421	ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. 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.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE

John C. [Signature]

TELEPHONE

276-322-5467

DATE

October 4, 2007

TITLE Vice President

FEIN

54-0989421

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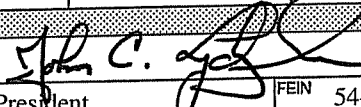
RFQ COPY

TYPE NAME/ADDRESS HERE
 Marshall Miller and Associates
 524 Industrial Park Road
 Bluefield, VA 24605

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<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>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR 80% OF THE OWNERSHIP INTEREST OF BIDDER IS HELD BY ANOTHER INDIVIDUAL, PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR WHO HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4)</p>						

SIGNATURE 		TELEPHONE 276-322-5467	DATE October 4, 2007
TITLE Vice President	FEIN 54-0989421	ADDRESS CHANGES TO BE NOTED ABOVE	

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 534 Industrial Park Road
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<p>YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() BIDDER IS A CORPORATION NONRESIDENT VENDOR WHICH HAS AN AFFILIATE OR SUBSIDIARY WHICH EMPLOYS A MINIMUM OF ONE HUNDRED STATE RESIDENTS AND WHICH HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA CONTINUOUSLY FOR THE FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;</p> <p>OR</p> <p>() BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS OR IS A NONRESIDENT VENDOR WITH AN AFFILIATE OR SUBSIDIARY WHICH MAINTAINS ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES OR BIDDERS' AFFILIATE'S OR SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *John C. [Signature]* TELEPHONE: 276-322-5467 DATE: October 4, 2007

TITLE: Vice President EBIN: 54-0989421 ADDRESS CHANGES TO BE NOTED ABOVE

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<p>PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID TO THE CONTRACTING AGENCY OR DEDUCTED FROM ANY UNPAID BALANCE ON THE CONTRACT OR PURCHASE ORDER.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND REVENUE TO DISCLOSE TO THE DIRECTOR OF PURCHASING APPROPRIATE INFORMATION VERIFYING THAT BIDDER HAS PAID THE REQUIRED BUSINESS TAXES, PROVIDED THAT SUCH INFORMATION DOES NOT CONTAIN THE AMOUNTS OF TAXES PAID NOR ANY OTHER INFORMATION DEEMED BY THE TAX COMMISSIONER TO BE CONFIDENTIAL.</p> <p>UNDER PENALTY OF LAW FOR FALSE SWEARING (WEST VIRGINIA CODE 61-5-3), BIDDER HEREBY CERTIFIES THAT THIS CERTIFICATE IS TRUE AND ACCURATE IN ALL RESPECTS; AND THAT IF A CONTRACT IS ISSUED TO BIDDER AND IF ANYTHING CONTAINED WITHIN THIS CERTIFICATE CHANGES DURING THE TERM OF THE CONTRACT, BIDDER WILL NOTIFY THE PURCHASING DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>Marshall Miller and Associates</u></p> <p>DATE: <u>October 4, 2007</u></p> <p>SIGNED: <u>John C. [Signature]</u></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <u>John C. [Signature]</u>	TELEPHONE 276-322-5467	DATE October 4, 2007
TITLE Vice President	FEIN 54-0989421	ADDRESS CHANGES TO BE NOTED ABOVE

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				TITLE: <i>Vice President</i>		
<p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p> <p>AN ORIGINAL, SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID MUST 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>RFQ. NO.: DEP13972</p> <p>BID OPENING DATE: 10/04/2007</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>John C. Goff</i>	TELEPHONE 276-322-5467	DATE October 4, 2007
TITLE Vice President	FEIN 54-0989421	ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF
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VENDOR RESPONSE REQUIRED

RFQ COPY
 TYPE NAME/ADDRESS HERE
**MARSHALL MILLER & ASSOC.
 534 INDUSTRIAL PARK ROAD
 BLUEFIELD, VA 24605**

SHIP TO

**ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
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<p>TO CONTACT YOU REGARDING YOUR BID: ----- 276-322-5467 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): ----- John Lydzinski -----</p>						
<p>***** THIS IS THE END OF RFQ DEP13972 ***** TOTAL:</p>						<p><u>\$356,585.00</u></p>

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SIGNATURE <i>John C. [Signature]</i>	TELEPHONE 276-322-5467	DATE October 4, 2007
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requirements specified in this contract, or if, as a result of frequent breakdowns after the equipment is in use or other causes, the original equipment cannot be operated efficiently, the Contractor shall deliver to the site satisfactorily replacement equipment. No additional payment shall be allowed for replacement of defective or inadequate equipment. WVDEP shall be the final judge as to the adequacy of the equipment.

Underground storage tank closures and assessments shall be in accordance to all Federal and State regulations. The successful vendor must be capable of having an individual present at the underground storage tank (UST) site and capable of exercising supervisory control over the closure (removal/close in place).

The State hereby notifies the Contractor that work is to be performed on property, where the contractor's employees may be exposed to petroleum contamination and other hazardous materials existing at Leaking Underground Storage Tank sites.

GENERAL CONDITIONS

- **Bid Bond:** A bid bond in the amount of \$5,000.00 payable to the State of West Virginia shall be submitted with each bid. Bonds may be provided in the form of a cashier's check, irrevocable letter of credit, or a bond furnished by a solvent surety company authorized to do business in the state of West Virginia. Irrevocable letters of credit **must** contain the raised corporate seal of the lending institution of issuance. Personal or business checks are not acceptable in lieu of the bid bond.
- **Workers Compensation:** Vendor is required to provide a current certificate of Workers' Compensation Insurance prior to issuance of the purchase order/contract.
- **Contractor's License:** West Virginia 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 contractor's 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

West Virginia State Code 21-11-11 requires any prospective bidder include the contractors license number on their bid.

Bidder to complete:

Contractor Name: MARSHALL MILLER & ASSOCIATES, INC

Contractor's License No.: WV 010319

The successful bidder will be required to furnish a copy of their contractor's license prior to issuance of a purchase order/contract.

- **Insurance:** The successful vendor shall furnish proof of Contractor's Public Liability

PURCHASING CONTINUATION SHEET

UST Removal -- South Eastern, WV

Buyer: Chuck Bowman	Request: 020	Req/PO: DEP13972
Spending Unit: WVDEP/DLR/OER		

Item No.	Quantity	Description	Unit Price	Amount
1	5,000	Removal and proper disposal of petroleum contaminated water, rinsate and/or product. (per gallon)	0.74	3,700.00
2	500	Transportation of petroleum contaminated water, rinsate and/or product to disposal facility (per mile)	0.81	405.00
3	25	Purge vapors from UST to <10% LEL. (per tank)	80.00	2,000.00
4	25	Excavate and extract UST / piping from the ground. (per 1000 gallon tank volume)	425.00	10,625.00
5	25	Cut openings in UST and clean sludges from them. (per tank)	350.00	8,750.00
6	25	Dispose / scrap cleaned UST. (per tank)	350.00	10,000.00
7	25	Disposal of tank-cleaning sludges. (per drum)	95.00	2,375.00
8	2000	Segregate obviously contaminated vs. non-contaminated soils and stockpile contaminated soils/debris on-site on 6 mil black plastic and cover with 6 mil black plastic. (per ton)	4.00	8,000.00
9	1000	Disposal of petroleum-contaminated soil at a state approved landfill Unit price includes landfill tipping fees and etc. (per ton)	18.00	18,000.00
10	1000	Petroleum Contaminated Soil Treatment at an Incineration or Bioremediation Facility. Unit price includes tipping fees and etc. (per ton)	36.00	36,000.00
11	100	Proper disposal of nonhazardous materials such as broken concrete slabs, piping & etc. (per ton)	18.00	1,800.00
12	2000	Backfill excavations with crusher run. (per ton)	21.00	42,000.00
13	500	Mobilization and demobilization. (per mile)	3.10	1,550.00
14	500	Asphalt disturbed excavation area. (per sq. ft)	4.75	2,375.00
15	500	Concrete disturbed excavation area (per cu. yd.)	67.00	33,500.00
16	500	Cutting and removal of asphalt or concrete (per sq. ft.)	2.75	1,375.00
17	5	Fill UST with concrete slurry (per 1000 gallon tank volume)	550.00	2,750.00

18	5	Fill UST with inert foam material (per 1000 gallons tank volume)	590.00	2,950.00
19	12	Direct Push Equipment (per day)	1,750.00	21,000.00
20	500	Direct Push Temporary Groundwater Sampler (per linear foot)	15.00	7,500.00
21	500	Direct Push Prepack well screen 1.4 inches OD (per linear foot)	25.00	12,500.00
22	500	Direct Push Prepack well screen 2.5 inches OD (per linear foot)	30.00	15,000.00
23	12	Low Flow Sampling Equipment (per day)	300.00	3,600.00
24	500	Well Abandonment-2 inch wells (per linear foot)	22.00	11,000.00
25	500	Well Abandonment-4 inch wells (per linear foot)	28.00	14,000.00
26	500	Borehole (and Corehole) abandonment (per linear foot)	15.00	7,500.00
27	10	IDW Disposal (per drum)	100.00	1,000.00
28	25	Dot 17-C Drums (each)	50.00	1,250.00
29	100	Laborer (per hour)	61.00	6,100.00
30	20	Enhanced Fluid Recovery (EFR) (per day)	1,250.00	25,000.00
31	12	Complete Reports and Submittal (each)	900.00	10,800.00
32	200	Hollow Stem Auger for 2 inch well (per linear ft.)	25.00	5,000.00
33	200	Hollow Stem Auger for 4 inch well (per linear ft.)	30.00	6,000.00
34	200	Installation of 2 inch monitoring well (per linear ft.)	25.00	5,000.00
35	200	Installation of 4 inch monitoring well (per linear ft.)	30.00	6,000.00
36	10	Backhoe Loader Cat 416 type or equivalent (per day)	650.00	6,500.00
37	200	Reclaim disturbed areas (per sq ft.)	1.10	220.00
38	100	Oxygen Releasing Compound Advanced Powder or equivalent (per lb.)	14.00	1,400.00

39	100	Reactivated Carbon (per lb.)	1.25	125.00
40	100	Spent Carbon Disposal (per lb.)	1.85	185.00
41	10	Combustible Gas/Oxygen Meter (per day)	75.00	750.00
42	10	Organic Vapor Analyzer (PID) (per day)	100.00	1,000.00

TOTAL = 356,585.00

Inquires concerning this RFQ shall be directed to:

Chuck Bowman
Purchasing Division
Building 15
2019 Washington Street, East
Charleston, WV 25305

(304) 558-2157 - Phone
(304) 558-4115 - Fax

A F F I D A V I T**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 owned is an amount greater than one thousand dollars in the aggregate

DEFINITIONS:

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

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

EXCEPTION:

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

LICENSING:

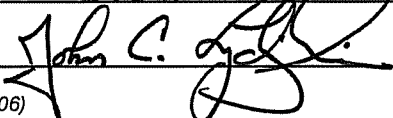
Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, 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: Marshall Miller & Associates

Authorized Signature:  Date: 10/04/07

Listing of Marshall Miller & Associates, Inc. Employees Residing in West Virginia

Raymond Aiken

Aaron Butt

Charles Cline

Adam Czaplinski

Dan Diffenbach

Jonathan Farley

Keith Grezlik – Certified Monitoring Well Driller License Holder – License #WV00448

Jason Hatcher

Jody Hawks

John David Keczan – Certified Class “B” UST License Holder – License #B630

Mark Neal

Timothy Probert

Sally Sudderth

Johanna Teschner

HAZWOPER TRAINING

Employee Name	HAZWOPER 40-Initial	HAZWOPER 8-Hour Annual Refresher Expiration Date
Raymond Aiken	7-19-2007	---
Vince Alaimo	05-14-1990	03-08-2008
Charles Cline	08-04-1995	10-03-2008
Adam Czaplinski	06-01-1993	01-03-2008
Adam DeLosSantos	05-02-2006	07-08-2008
Dan Diffenbach	01-30-1997	01-03-2008
James Douglass	1990	03-08-2008
Jonathan Farley	04-08-2005	04-08-2008
Keith Grezlik	01-1987	01-03-2008
Jason Hatcher	09-07-2007	---
John Lydzinski	10-10-1994	04-11-2008
James Martin	06-10-1996	03-08-2008
Daniel Mullins	08-04-1995	01-03-2008
Mark Neal	02-28-2003	01-03-2008
Eric Powers	09-02-1999	03-08-2008
Joshua Shrader	05-02-2003	03-08-2008
Johanna Teschner	12-20-1996	01-03-2008
Joseph Vance	11-08-1991	03-08-2008

CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

Number: WV010319

Classification:

GENERAL ENGINEERING

MARSHALL MILLER & ASSOCIATES INC
PO BOX 848
BLUEFIELD, VA 24605-0848

Date Issued

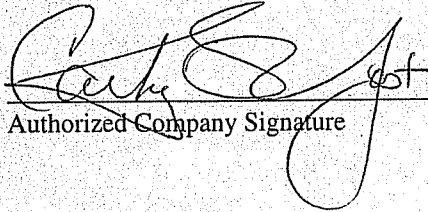
Expiration Date

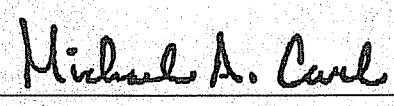
OCTOBER 04, 2007

OCTOBER 04, 2008



**WEST VIRGINIA
CONTRACTOR
LICENSING
BOARD**


Authorized Company Signature


Chair, West Virginia Contractor
Licensing Board

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID JZ
MARSMIL

DATE (MM/DD/YYYY)
10/30/06

PRODUCER Knauff Insurance, Inc. P.O. Box 33789 Charlotte NC 28233-3789 Phone: 704-375-8000	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC #
INSURED Marshall Miller & Assoc., Inc. Route 720, Industrial Park Bluefield VA 24605	INSURER A: American International	
	INSURER B: Commerce & Industry Ins. Co.	
	INSURER C: American Home Assurance Co.	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	PROP 311-91-74	11/01/06	11/01/07	EACH OCCURRENCE	\$ 1000000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 10000
						PERSONAL & ADV INJURY	\$ 1000000
						GENERAL AGGREGATE	\$ 2000000
						PRODUCTS - COMP/OP AGG	\$ 2000000
						Emp. Ben.	1000000
B		AUTOMOBILE LIABILITY	CA 311-91-76	11/01/06	11/01/07	COMBINED SINGLE LIMIT (Ea accident)	\$ 1000000
		<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
		<input type="checkbox"/> ALL OWNED AUTOS					
		<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident)	\$
		<input checked="" type="checkbox"/> HIRED AUTOS					
<input checked="" type="checkbox"/> NON-OWNED AUTOS							
		<u>Any Auto = Owned/Scheduled</u>				PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
		<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC	\$
						AUTO ONLY: AGG	\$
A		EXCESS/UMBRELLA LIABILITY	PROU 311-91-75	11/01/06	11/01/07	EACH OCCURRENCE	\$ 5000000
		<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$ 5000000
		<input type="checkbox"/> DEDUCTIBLE					\$
		<input checked="" type="checkbox"/> RETENTION \$10,000					\$
C		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	WC531-08-79	11/01/06	11/01/07	<input checked="" type="checkbox"/> WC STATUTORY LIMITS	<input type="checkbox"/> OTHER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$ 1000000
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	\$ 1000000
		OTHER				E.L. DISEASE - POLICY LIMIT	\$ 1000000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
For Information Purposes Only

CERTIFICATE HOLDER THOMITM To Whom It May Concern For Information Purposes	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Stanley J. Pokorney
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IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

69011 001 1W

0603

PURCHASED BY
MARSHALL MILLER & ASSOC.



158398

69-60/515
15


DATE October 03, 2007

PAY TO THE ORDER OF WV ENVIROMENTAL PROTECTION DEPT.

\$ 5,000.00*

THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, WATERMARK AND A THERMOCHROMIC ICON; ABSENCE OF THESE FEATURES WILL INDICATE A COPY

PAY EXACTLY \$5,000 DOLLARS 00 CENTS

DOLLARS  Security features included. Details on back.

CASHIER'S CHECK

Patsy J. Cox

MP