



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
DEP13975

PAGE
1

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

TEN-A-COAL COMPANY
 RT. 4, BOX 253
 CLARKSBURG, WV 26301

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	F.O.B.	FREIGHT TERMS
04/02/2008				
BID OPENING DATE: 05/08/2008		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-86	\$6.48/ 100 Gallons	
LEACHATE HAULING PER 100 GAL.						
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DIVISION OF LAND RESTORATION, SEEKS BIDS TO HAUL LEACHATE FROM THE JACKSON COUNTY LANDFILL TO THE TOWN OF SISSONVILLE WASTEWATER TREATMENT PLANT LOCATED AT SISSONVILLE, WV. THE VENDOR WILL BE RESPONSIBLE FOR PUMPING, HAULING, AND DELIVERING THE LEACHATE FROM THE LANDFILL TO THE WATER TREATMENT PLANT. EACH LOAD WILL BE SAMPLED AT THE WATER TREATMENT PLANT, A COMPOSITE SAMPLE CREATED, AND THE SAMPLES ANALYZED PER THE ATTACHED SPECIFICATIONS, TERMS & CONDITIONS.</p> <p>MANDATORY ON-SITE PRE-BID WILL BE HELD 04/24/2008 AT 10:00 AM. FAILURE TO ATTEND WILL RESULT IN DISQUALIFICATION OF VENDOR'S BID.</p> <p>DIRECTIONS: FROM I-77N, TAKE EXIT 138 (RIPLEY) AND TURN LEFT AT THE TRAFFIC LIGHT. GO UNDER THE INTERSTATE BRIDGE TO THE NEXT TRAFFIC LIGHT AND TURN RIGHT ONTO CLAY LICK ROAD TOWARD THE HOSPITAL. STAY ON CLAY LICK ROAD. APPROXIMATELY 1 1/2 MILES FROM THE DOH GARAGE, BEAR RIGHT. THE YELLOW GATE IS FOR THE JACKSON COUNTY LANDFILL.</p> <p>***PLEASE REVIEW ADDITIONAL SPECIFICATIONS AND TABLES AS ATTACHED***</p>						

RECEIVED
 APR 30 2008
 ENVIRONMENTAL PROTECTION DIVISION
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Patrick J. Cunningham</i>	304-783-5484	4/28/08
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
PARTNER	55-051-6915	

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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EXHIBIT 1						
<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> <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) SUCCESSIVE 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 WITH 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Patricia H. Cunningham</i>	TELEPHONE 304-783-5484	DATE 4/28/08
TITLE PARTNER	FEIN 35-051-6915	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK).</p> <p>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.</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. 9/98</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 VARIOUS COUNTIES, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT) FOR PREVAILING WAGE RATES PLEASE REFER TO: HTTP://WWW.WVSOS.ORG/ADLAW/WAGERATES/BUILDING08.HTM FOR QUESTIONS OR ASSISTANCE IN DETERMINING THE CORRECT PREVAILING WAGE RATES, CALL 304.558.7890, DIVISION OF LABOR.</p> <p>FOR AGENCY USE ONLY: EXT. ORG. 9371</p> <p>EXHIBIT 6</p>						

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E	FEIN	304-783-5484	4/28/08
PARTNER		55-051-6915	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>PRICE ADJUSTMENT PROVISION: THE STATE OF WEST VIRGINIA WILL CONSIDER BIDS THAT CONTAIN PROVISIONS FOR PRICE ADJUSTMENTS PRIOR TO THE ORIGINAL EXPIRATION OF THE CONTRACT, PROVIDED THAT SUCH PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT IS BASED ON THE "PASS THROUGH" INCREASE OR DECREASE OF RAW MATERIALS AND/OR LABOR, WHICH MAKE UP ALL OR A SUBSTANTIAL PART OF A PRODUCT. ADJUSTMENTS ARE TO BE BASED UPON AN ACTUAL DOLLAR FIGURE, NOT A PERCENTAGE. ALL PRICE ADJUSTMENT REQUESTS MUST BE SUBSTANTIATED IN A MANNER ACCEPTABLE TO THE DIRECTOR OF PURCHASING, E.G. GOVERNMENTAL BENCH MARKS, GENERAL MARKET INCREASE, PUBLISHED PRICE LISTS. SUCH REQUESTS FOR AN INCREASE SHOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. ANY TIME THE VENDOR REQUESTS A PRICE ADJUSTMENT, THE PURCHASING DIVISION MAY EITHER ACCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT ACCORDINGLY OR REJECT THE ADJUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT.</p> <p>PREFERRED TERMS: IT IS PREFERRED THAT THE PRICES ON THIS CONTRACT ARE FIRM FOR LIFE OF THE CONTRACT, AS INDICATED IN THE LIFE OF CONTRACT CLAUSE CONTAINED HEREIN, NOT TO EXCEED ONE (1) YEAR.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: DEP13975</p> <p>ADDENDUM ACKNOWLEDGEMENT</p>						

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SIGNATURE	TELEPHONE	DATE
<i>Calvin H. Cunningham</i>	304-783-5484	4/28/08
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
PARTNER	55-051-6915	

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<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 NO.'S:</p> <p>NO. 1</p> <p>NO. 2</p> <p>NO. 3</p> <p>NO. 4</p> <p>NO. 5</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <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>Patricia H. Cunningham</i> SIGNATURE</p> <p>TEN-A-COAL COMPANY COMPANY</p> <p>4/28/08 DATE</p>						

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NATURE	<i>Patricia H. Cunningham</i>	TELEPHONE	DATE
E	PARTNER	FEIN 65-051-6915	304-783-5484 4/28/08
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S U B J E C T

TEN-A-COAL COMPANY
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S H I P T O

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	REV. 11/96					
VENDOR PREFERENCE CERTIFICATE CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS). A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR <input type="checkbox"/> 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						

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SIGNATURE <i>Patrick H. Cunningham</i>	TELEPHONE 304-783-5484	DATE 4/28/08
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<p>CERTIFICATION.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>(X) 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 PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE 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</p>						

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<i>Patricia H. Cunningham</i>	304-783-5484	4/28/08	
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<p>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>TEN-A-COAL COMPANY</u></p> <p>DATE: <u>4/28/08</u></p> <p>SIGNED: <u><i>Patricia Cunningham</i></u></p> <p>TITLE: <u>PARTNER</u></p> <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>						

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SIGNATURE <u><i>Patricia Cunningham</i></u>	TELEPHONE <u>304-783-5484</u>	DATE <u>4/28/08</u>
TITLE <u>PARTNER</u>	FEIN <u>55-051-6915</u>	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>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.: DEP13975</p> <p>BID OPENING DATE: 05/08/2008</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:</p> <p>----- 304-783-5514 -----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>----- PATRICK H. CUNNINGHAM -----</p> <p>***** THIS IS THE END OF RFQ DEP13975 ***** TOTAL: \$6.48/ 100 Gallons</p>						

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ROLE PARTNER	FEIN 65-051-6915	ADDRESS CHANGES TO BE NOTED ABOVE

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

DEP13975 Bid Schedule:

The WVDEP 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-CSRI1, 6.4.2

DESCRIPTION	QTY	COST
LEACHATE HAULING	(\$ / 100 GAL)	<u>\$6.48</u>

SIGNATURE Patrick Cunningham DATE 4-28-08

Jackson County Tank Readings/Attachment A

013

1'0"	5559	5'4"	29648	9'8"	53737	14'0"	77826	18'4"	101915
1'1"	6022	5'5"	30111	9'9"	54200	14'1"	78289	18'5"	102378
1'2"	6485	5'6"	30574	9'10"	54663	14'2"	78752	18'6"	102841
1'3"	6948	5'7"	31037	9'11"	55126	14'3"	79215	18'7"	103304
1'4"	7412	5'8"	31501	10'0"	55590	14'4"	79678	18'8"	103768
1'5"	7875	5'9"	31964	10'1"	56053	14'5"	80141	18'9"	104231
1'6"	8338	5'10"	32427	10'2"	56516	14'6"	80604	18'10"	104694
1'7"	8801	5'11"	32890	10'3"	56979	14'7"	81068	18'11"	105157
1'8"	9265	6'0"	33354	10'4"	57443	14'8"	81531	19'0"	105621
1'9"	9728	6'1"	33817	10'5"	57906	14'9"	81994	19'1"	106084
1'10"	10191	6'2"	34280	10'6"	58369	14'10"	82557	19'2"	106547
1'11"	10654	6'3"	34743	10'7"	58832	14'11"	82921	19'3"	107010
2'0"	11118	6'4"	35207	10'8"	59295	15'0"	83385	19'4"	107474
2'1"	11581	6'5"	35670	10'9"	59758	15'1"	83848	19'5"	107937
2'2"	12044	6'6"	36133	10'10"	60221	15'2"	84311	19'6"	108400
2'3"	12507	6'7"	36596	10'11"	60685	15'3"	84774	19'7"	108863
2'4"	12971	6'8"	37060	11'0"	61149	15'4"	85238	19'8"	109327
2'5"	13434	6'9"	37523	11'1"	61612	15'5"	85701	19'9"	109790
2'6"	13897	6'10"	37986	11'2"	62075	15'6"	86164	19'10"	110253
2'7"	14360	6'11"	38449	11'3"	62538	15'7"	86627	19'11"	110716
2'8"	14824	7'0"	38913	11'4"	63002	15'8"	87091	20'0"	111180
2'9"	15287	7'1"	39376	11'5"	63465	15'9"	87554	20'1"	111643
2'10"	15750	7'2"	39839	11'6"	63928	15'10"	88017	20'2"	112106
2'11"	16213	7'3"	40302	11'7"	64391	15'11"	88480	20'3"	112569
3'0"	16676	7'4"	40766	11'8"	64855	16'0"	88944	20'4"	113033
3'1"	17139	7'5"	41229	11'9"	65318	16'1"	89407	20'5"	113496
3'2"	17602	7'6"	41692	11'10"	65781	16'2"	89870	20'6"	113959
3'3"	18065	7'7"	42155	11'11"	66244	16'3"	90333	20'7"	114422
3'4"	18529	7'8"	42619	12'0"	66708	16'4"	90797	20'8"	114886
3'5"	18992	7'9"	43082	12'1"	67171	16'5"	91260	20'9"	115349
3'6"	19455	7'10"	43545	12'2"	67634	16'6"	91723	20'10'	115812
3'7"	19918	7'11"	44008	12'3"	68097	16'7"	92186	20'11"	116275
3'8"	20382	8'0"	44472	12'4"	68561	16'8"	92649	21'0"	116739
3'9"	20846	8'1"	44935	12'5"	69024	16'9"	93113	21'1"	117202
3'10"	21309	8'2"	45398	12'6"	69487	16'10"	93576	21'2"	117665
3'11"	21772	8'3"	45861	12'7"	69950	16'11"	94039	21'3"	118128
4'0"	22236	8'4"	46325	12'8"	70414	17'0"	94503	21'4"	118592
4'1"	22699	8'5"	46788	12'9"	70877	17'1"	94966	21'5"	119055
4'2"	23162	8'6"	47251	12'10"	71340	17'2"	95429	21'6"	119518
4'3"	23625	8'7"	47714	12'11"	71803	17'3"	95892	21'7"	119981
4'4"	24089	8'8"	48178	13'0"	72267	17'4"	96356	21'8"	120445
4'5"	24552	8'9"	48641	13'1"	72730	17'5"	96819	21'9"	120908
4'6"	25015	8'10"	49104	13'2"	73193	17'6"	97282	21'10"	121371
4'7"	25478	8'11"	49567	13'3"	73656	17'7"	97745	21'11"	121834
4'8"	25942	9'0"	50031	13'4"	74120	17'8"	98209	22'0"	122298
4'9"	26405	9'1"	50494	13'5"	74583	17'9"	98672	22'1"	122761
4'10"	26868	9'2"	50957	13'6"	75046	17'10"	99135	22'2"	123224
4'11"	27331	9'3"	51420	13'7"	75509	17'11"	99598	22'3"	123687
5'0"	27795	9'4"	51884	13'8"	75972	18'0"	100062	22'4"	124151
5'1"	28258	9'5"	52347	13'9"	76436	18'1"	100525	22'5"	124614
5'2"	28721	9'6"	52810	13'10"	76899	18'2"	100988	22'6"	125077
5'3"	29184	9'7"	53273	13'11"	77362	18'3"	101451	22'7"	overflow

STATE OF WEST VIRGINIA
Purchasing Division

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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: TEN-A-COAL COMPANY

Authorized Signature: *Patrick H. Cunningham* Date: 4/28/08



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
 DEP13975

PAGE
 1

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

*709042248 304-783-5484
 TEN A COAL COMPANY
 RT 4 BOX 253

CLARKSBURG WV 26301

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
05/02/2008				
BID OPENING DATE: 05/08/2008		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
ADDENDUM ISSUED FOR THE JACKSON CO. LEACHATE HAULING CONTRACT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEET AND TO ANSWER THE FOLLOWING QUESTION RESULTING FROM THE MANDATORY PRE-BID MEETING OF 04/24/08. SEE THE ATTACHED SIGN-IN SHEET AND NOTE THE Q/A BELOW.						
Q. CONTRACT REQUIRES VENDOR TO USE TOWN OF SISSONVILLE WASTEWATER TREATMENT PLANT. THERE IS NO ROOM AT THIS PLANT FOR A TRUCK AND THEY REQUEST THAT THE LEACHATE BE DUMPED IN A MANHOLE. WILL WE BE ALLOWED TO CONTINUE THIS PRACTICE?						
A. THE LEACHATE WILL HAVE TO BE DUMPED AT THE TOWN OF SISSONVILLE WASTEWATER TREATMENT PLANT OR AT ANY LOCATION DESIGNATED BY THE TOWN OF SISSONVILLE WASTEWATER TREATMENT PLANT.						
BID OPENING DATE & TIME REMAIN 05/08/08 @ 1:30 PM.						
***** NO OTHER CHANGES *****						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Patrick H. Cunningham</i>	TELEPHONE 304-783-5484	DATE 5/5/08
TITLE PARTNER	FBN 55-051-6915	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
 DEP13975

PAGE
 5

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

TEN-A-COAL COMPANY
 RT. 4, BOX 253
 CLARKSBURG, WV 26301

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	F.O.B.	FREIGHT TERMS
04/02/2008				

BID OPENING DATE: 05/08/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
------	----------	-----	--------	-------------	------------	--------

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED
 ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY
 PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:

- NO. 1 .. X
- NO. 2
- NO. 3
- NO. 4
- NO. 5

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE
 ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.

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.

Patricia H. Cunningham
 SIGNATURE

TEN-A-COAL COMPANY
 COMPANY

4/28/08
 DATE

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Patricia H. Cunningham</i>	TELEPHONE 304-783-5484	DATE 4/28/08
TITLE PARTNER	FEBN 65-051-6915	ADDRESS CHANGES TO BE NOTED ABOVE

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