



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
DEP14146

PAGE
1

ADDRESS FOR CORRESPONDENCE (IF DIFFERENT FROM ABOVE)
**CHUCK BOWMAN
 304-558-2157**

VENDOR

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Utilities Forestry Services, Inc.
 2022 Dorey St. Ext.
 P.O. Box 1027
 Clearfield, PA 16830

VENDOR

**ENVIRONMENTAL PROTECTION
 DEPT. OF
 OFFICE OF SPECIAL RECLAMATION
 105 S. RAILROAD STREET
 PHILIPPI, WV
 26416-9998 304-457-3219**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/06/2008				

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

LINE	QUANTITY	UOP	QTY NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		\$119,907.00
<p>RECLAMATION: RESTORATION OF WATER</p> <p>SPECIAL RECLAMATION/BOND FORFEITURE PROJECT</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS TO PERFORM RECLAMATION ON THE MINING OPERATION OF GLADE RUN MINING COMPANY, NOW UNDER REVOKED PERMIT NUMBER(S) 3-72. THIS SITE CONSISTS OF APPROXIMATELY 5 ACRES AND IS LOCATED NEAR MT. STORM, WV IN GRANT COUNTY.</p> <p>THE RECLAMATION SHALL BE PERFORMED UNDER THE GUIDANCE AND GENERAL SUPERVISION OF THE AGENT ASSIGNED TO THE PROJECT FOR THE STATE OF WEST VIRGINIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION.</p> <p>A MANDATORY ON-SITE PREBID CONFERENCE SHALL BE HELD ON 02/27/2008 @ 10:00 AM. FAILURE TO ATTEND THE PREBID CONFERENCE WILL RESULT IN BID DISQUALIFICATION.</p> <p>DIRECTIONS TO PREBID: FROM MT. STORM, TRAVEL ON US ROUTE 50 EAST APPROX. 4.8 MILES. TURN RIGHT (SOUTH) ON CO. RT. 50/5 (ARNOLD MINE ROAD). TRAVEL APPROX. 0.9 MILE TO CO. RT. 50/9 (KITZMILLER MINE RD). TRAVEL APPROX. 0.1 MILE TO HAUL ROAD ON LEFT.</p> <p>ALL WORK MUST BE COMPLETED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY THE DEPARTMENT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Donald R. Wandt</i>	TELEPHONE (814) 765-7115	DATE 3/28/2008
TITLE V. Pres.	FAX 25-1193213	ADDRESS CHANGES TO BE NOTED ABOVE

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



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ADDRESS CORRESPONDENCE TO A PERSON OR
CHUCK BOWMAN 304-558-2157

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<p>OF ENVIRONMENTAL PROTECTION AND PURCHASE ORDER ISSUED BY THE DEPARTMENT OF ADMINISTRATION, DIVISION OF PURCHASING.</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 THE BID AND CONTRACT HEREIN.</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 GRANT COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET,SEQ.</p> <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>						

SIGNATURE				TELEPHONE		DATE	
<i>Donald A. Wendt</i>				(814) 765-7115		3/28/2008	
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V. Pres.		25-1193213					

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<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 BE 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 THE 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 \$10,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND.</p> <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>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Donald R. Wood</i>	TELEPHONE 814-765-7115	DATE 3/28/2008
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<p>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 - ... Utilities Forestry, Ser. Inc. CONTRACTORS LICENSE NO. - ... WV000605.....</p> <p>THE SUCCESSFUL BIDDER IS REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.</p> <p style="text-align: center;">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 AUTOMATI-</p>						

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<p>CALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</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> <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 HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT, OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001.</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>						

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ADDRESS OF RESPONDENCE TO BE MENTIONED
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2.						
<p>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> <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>						
3.						
<p>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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Donald R. Tolson* TELEPHONE (814) 765-7115 DATE 3/28/2008

TITLE V. Pres. FEIN 25-1193213 ADDRESS CHANGES TO BE NOTED ABOVE

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<p>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 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>						

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<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 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 DEP14146</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO</p>						

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DATE: **3/28/2008** TELEPHONE: **(814) 765-7115**

FAX: **25-1193213**

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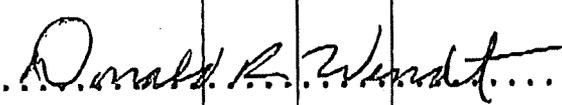
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MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NOS.:						
NO. 1		3/4/2008		Sign-in sheets		
NO. 2					
NO. 3					
NO. 4					
NO. 5					
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE 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.						
SIGNATURE Utilities Forestry Services, Inc.COMPANY3/28/2008.....DATE REV. 11/96 NOTICE						

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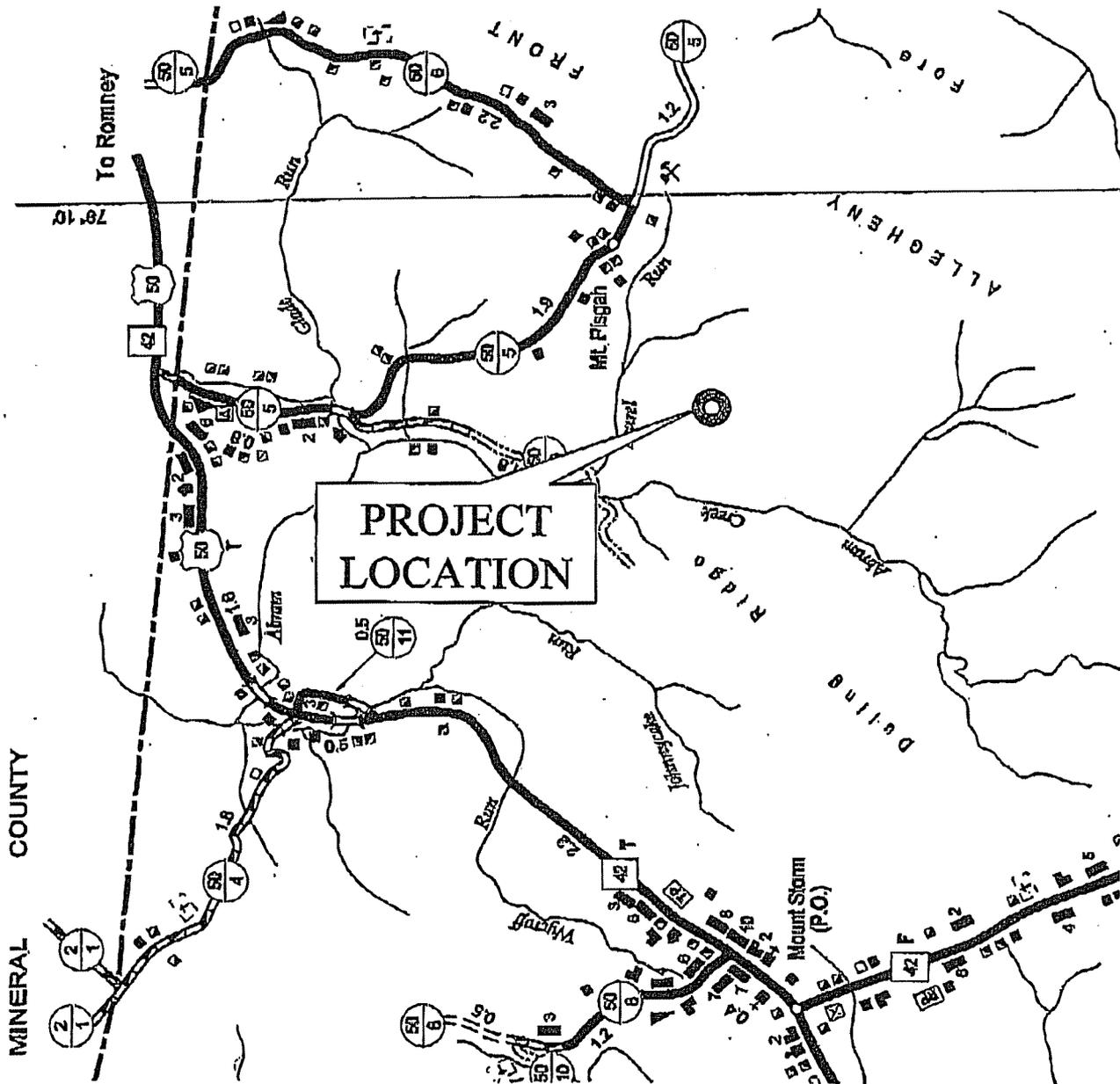
LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: CB-23</p> <p>REQ. NO.: DEP14146</p> <p>BID OPENING DATE: 04/01/2008</p> <p>BID OPENING TIME: 1:30 P.M.</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>----- (814) 765-5698 -----</p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:</p> <p>----- Donald Wendt -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Donald B. Wendt</i>	TELEPHONE (814) 765-7115	DATE 3/28/2008	
TITLE V. Pres.	FEIN 25-1193213	ADDRESS CHANGES TO BE NOTED ABOVE	

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

Glade Run Mining PERMIT # 3-72

CB-23 PAGE 011 DEP 14146



From Mount Storm travel on US Route 50 East approximately 4.8 miles. Turn right (south) on Co. Rte. 50/5 (Arnold Mine Road). Travel approximately 0.9 mile to Co. Rte. 50/9 (Kitzmiller Mine Road). Travel approx. 0.1 mile to haul road on left.

BUYER CB-23	PAGE 012	REQ. OR PO NO. DEP 14146
SPENDING UNIT WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION/SPECIAL RECLAMATION		

WV-36a STATE OF WEST VIRGINIA
Rev. 9/13/07 PURCHASING CONTINUATION SHEET
VENDOR:

SCOPE OF WORK

The successful bidder shall provide appropriate equipment, materials, labor and any technical services needed for the successful reclamation of Glade Run Mining Co., Permit 3-72, and any disturbance associated with such operation. The General Performance Standards (GPS) shall apply to all items in Scope of Work.

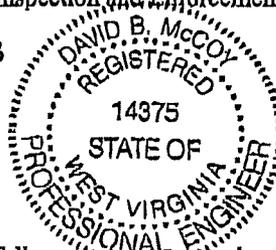
Work necessary on this site will include the following items, but is not limited to these:

1. Upon mobilization to the site, which will be directed in a written Notice to Proceed, the access roads shall be developed in accordance with bid item #3. If fuel and lubricants are to be stored on site, bid item #2 shall be in place before fuel is delivered. Project sign is to be obtained and installed.
2. Storm water management in the form as described in bid item #5 shall be installed (described locations).
3. Regrading and topsoiling is required for 5.0 acres. Reclamation is to be according to the attached specifications, plans, and clarifying discussions at the Pre-Bid Conference.
4. Upgrade haulroad.
5. Install culverts.
6. Eliminate drainage structures.
7. Construct seep collector drain.
8. Construct limestone beds.
9. Construct settling pond.
10. Construct riprap ditches.
11. Revegetation with seed, lime, fertilizer, and mulch.
12. Clear and grub.
13. Any other site specific items required.

I, David B. McCoy, the undersigned, hereby certify¹ that this Reclamation Plan is correct and shows to the best of my knowledge and belief all the information required by the surface mining laws of the State of West Virginia. The source of information was the approved mining and reclamation plan contained in the forfeited surface mine permit, existing site conditions and information contained in the WV DEP, Inspection and Enforcement files.

JBS 1/18/08
David B. McCoy

Registered Professional Engineer WV No. 14375



Date: 1-17-08

¹ The term "certify" as used herein is defined as follows: "An engineer's certification of conditions is a declaration of professional judgment. It does not constitute a warranty or guarantee, either expressed or implied."

Utilities Forestry Services, Inc.
 P.O. Box 1027
 2022 Dorey Street Ext.
 Clearfield, PA 16830

BUYER CB-23	PAGE 013	REQ. OR PO NO. DEP 14146
SPENDING UNIT WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION/SPECIAL RECLAMATION		

WV-36a

STATE OF WEST VIRGINIA

Rev. 9/13/07

PURCHASING CONTINUATION SHEET

VENDOR:

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
BID SCHEDULE				
PERMIT NAME: <u>GLADE RUN MINING CO.</u>				
PERMIT NUMBER(S): <u>3-72</u>				
The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unrcasonable				
1.0	LUMP SUM	<u>MOBILIZATION/DEMOBILIZATION/PROJECT SIGN</u> (5% Total Bid Maximum for this permit)	LUMP SUM	\$ 6,000.00
2.0	LUMP SUM	<u>SPILL CONTAINMENT AREA (S.C.A.)</u> (\$1,000.00 Maximum Bid for this permit)	LUMP SUM	\$ 500.00
3.0	<u>1000</u> LF	<u>HAULROAD/ACCESS ROAD UPGRADE</u>	\$6.00 PER LF	\$ 6,000.00
4.0	LUMP SUM	<u>CLEAR AND GRUB</u>	LUMP SUM	\$ 1,200.00
5.0	<u>500</u> LF	<u>HAYBALE DIKE</u> (Max. Bid \$5.00 Per LF)	\$4.00 PER LF	\$ 2,000.00
6.0	<u>5</u> AC	<u>REGRADING AND TOPSOILING</u>	\$1,100.00 PER ACRE	\$ 5,500.00
7.0	<u>REVEGETATION</u>			
7.1	<u>5</u> AC	<u>AGRICULTURAL LIME</u>	\$320.00 PER ACRE	\$ 1,600.00
7.2	<u>5</u> AC	<u>FERTILIZER</u>	\$ 600.00 PER ACRE	\$ 3,000.00
7.3	<u>5</u> AC	<u>MULCH</u>	\$ 450.00 PER ACRE	\$ 2,250.00
7.4	<u>5</u> AC	<u>VEGETATIVE SPECIES</u>	\$ 350.00 PER ACRE	\$ 1,750.00
8.0	LUMP SUM	<u>LIMESTONE BEDS AND SETTLING POND</u>	LUMP SUM	\$ 48,367.00

Utilities Forestry Services, Inc.
 P.O. Box 1027
 2022 Dorey Street Ext.
 Clearfield, PA 16830

BOYER CB-23	PAGE 010	REQ. OR PO NO. DEP 14146
SPENDING UNIT WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION/SPECIAL RECLAMATION		

WV-36a

STATE OF WEST VIRGINIA

Rev. 9/13/07

PURCHASING CONTINUATION SHEET

VENDOR:

9.0	<u>40 LF</u>	<u>TRAPAZOIDAL EXIT SPILLWAY CHANNEL</u>	\$ 38.00 PER LF	\$ 1,520.00
10.0	<u>45 LF</u>	<u>BAFFLE CURTAIN</u>	\$ 60.00 PER LF	\$ 2,700.00
11.0	<u>300 LF</u>	<u>SEEP CONVEYANCE DRAIN</u>	\$ 50.00 PER LF	\$ 15,000.00
12.0	<u>800 LF</u>	<u>RIPRAP V-DITCH</u>	\$ 18.00 PER LF	\$ 14,400.00
13.0	<u>40 LF</u>	<u>HDPE PIPE 12 INCH</u>	\$ 35.00 PER LF	\$ 1,400.00
14.0	<u>240 LF</u>	<u>HDPE CULVERT - 12" DIAMETER</u>	\$ 28.00 PER LF	\$ 6,720.00
TOTAL PERMIT <u>3-72</u>				\$ 119,907.00



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
DEP14146

PAGE
1

ADDRESS CORRESPONDENCE IDENTIFICATION OF
**CHUCK BOWMAN
 304-558-2157**

RFQ COPY
 TYPE NAME/ADDRESS HERE

**Utilities Forestry Services, Inc.
 P.O. Box 1027
 2022 Dorey Street Ext.
 Clearfield, PA 16830**

**ENVIRONMENTAL PROTECTION
 DEPT. OF
 OFFICE OF SPECIAL RECLAMATION
 105 S. RAILROAD STREET
 PHILIPPI, WV
 26416-9998 304-457-3219**

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
03/04/2008				

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

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>***** ADDENDUM NO. 1 ***** ADDENDUM ISSUED FOR THE GLADE RUN MINING PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE ATTACHED Q/A AS A RESULT OF THAT 02/27/08 MANDATORY MEETING. THE BID DATE AND OPENING TIME REMAIN UNCHANGED AS 04/01/08 AT 1:30 PM. ***** NO OTHER CHANGES *****</p>						
0001	1	JB		962-73		
<p>RECLAMATION: RESTORATION OF WATER</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Donald R. West* TELEPHONE: (814) 765-7115 DATE: 3/28/2008

TITLE: V. Pres. FEN: 25-1193213 ADDRESS CHANGES TO BE NOTED ABOVE

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

002

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14146
 Project: Glade Run Mining Co.
 Permit #: 3-72

Bid Date: 4/1/08
 Pre-Bid Date: 2/27/08

Name : David H. Bowman
 Company: GRAN Manufacturing Co.
 Address: 511 50th STREET
CHARLESTON WV
25304
 Phone #: 304 925-0253
 Fax #: 304-925-9230
 Email : Judy.Mayer@GOL.com

Name : DIANE SHEDDEN
 Company: SHANNON PEX CONSULTING
 Address: 655 Apple Ridge
South Orange NJ 07060
 Phone#: 908 765-2194
 Fax #: 908-765-2066
 Email :

Name : Roger Smithson
 Company: Cowgirl Up Inc.
 Address: P.O. Box 243
Simpson W.V 26435
 Phone #: 304-739-4397
 Fax #: 704-739-4397
 Email :

Name : Mike Gary
 Company: GRANLAW Corp
 Address: 10201 SE 149
N. FAWN AVE N.Y 12920
 Phone#: 518-795-3826
 Fax #: 518-795-6117
 Email :

Name : Star Simaske
 Company: Polino Contracting
 Address: P.O. Box 230
Elkins WV 26254
 Phone #: 304 633-3886
 Fax #: 304 259-5841
 Email :

Name : Todd Espalza
 Company: Four Seasons Excavating
 Address: 462 Apple Hill Ridge Road
Winchester VA
22603
 Phone#: 540-667-6696
 Fax #: 540-667-6783
 Email : Todd.Espalza@aol.com

Name : Gary Long
 Company: M Courts & Son Const.
 Address: 2790 Centralia Rd
Sutton WV 26041
 Phone #: 304 765-6298
 Fax #: 304 765-6298
 Email :

Name : Jamie Pretzel
 Company: JL Pretzel Contracting
 Address: 9 Belsham Est
Bruceville Mills WV 26027
 Phone#: 304-374-7789
 Fax #: 304-374-7789
 Email : TRTZROC@AOL.com

003

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14146
 Project: Glade Run Mining Co.
 Permit #: 3-72

Bid Date: 4/1/08
 Pre-Bid Date: 2/27/08

Name : BILL BOLYARD
 Company: C.E. BRYAN & SON
 Address: 125 EAST MAIN ST
PETERSBURG WV 26537
 Phone #: 304-257-1330
 Fax #: 304-257-1571
 Email : _____

Name : Valerie Leub
 Company: Bryan Bore & Pipe Inc.
 Address: P.O. Box 969
Petersburg, WV 26847
 Phone# : 504-257-9681
 Fax # : 304-257-1099
 Email : bryan@citlink.net

Name : DAVID WELCH
 Company: Waliper Excavation Services
 Address: PO Box 7027
Clearfield, PA 16830
 Phone #: 412-874-0077
 Fax #: 412-765-5698
 Email : _____

Name : Victor Smith
 Company: Angler Environmental
 Address: 12811 Randolph Ridge Lane
Manassas, VA 20108
 Phone# : (703) 393-4844
 Fax # : (703) 881-3280
 Email : vsmith@anglerenvironmental.com

Name : NANCY SOMERS
 Company: MIDWAY RECLAMATION LLC
 Address: P.O. Box 308
WEST MILFORD WV 26451
 Phone #: 304-745-3652
 Fax #: 745-3653
 Email : _____

Name : ALL Construction Inc
 Company: PO Box 92
 Address: MT. STORM WV 26739
 Phone# : 304-693-7131
 Fax # : 693-7199
 Email : KitzmillarJason@MSN.COM

Name : Joseph Lambert
 Company: Lambert Excavation
 Address: PO. Box 2732
ELKINS WV. 26241
 Phone #: 304 636-4027
 Fax # : _____
 Email : _____

Name : SCIL Co-Leasing Corp Inc
 Company: Jeffery S. Lavrith
 Address: 8 Hunter Lane Rd
FAIRMONT WV 26554
 Phone# : 304-290-4608
 Fax # : 304-296-8258
 Email : _____

004

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14146
 Project: Glade Run Mining Co.
 Permit #: 3-72

Bid Date: 4/1/08
 Pre-Bid Date: 2/27/08

Name : Doug Vincent
 Company: BREKAWAY Inc
 Address: 1575 Old Tuxedo Rd
Subur WI 26601
 Phone #: 765-5317
 Fax #: 765-5387
 Email :

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

Name : Chuck Humber
 Company: Triple H Suit
 Address: P.O. Box 176
Bevel, W. Va.
26253
 Phone #: 636-1194
 Fax #: 636-3680
 Email :

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

049

Agency DEP
REQ.P. 14146

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Utilities Forestry Services, Inc.
of PO Box 1027, Clearfield, PA 16830, as Principal, and West American Insurance Company
of 2000 Linglestown Road, Suite 203,
Harrisburg, PA 17110, a corporation organized and existing under the laws of the State of
Indiana with its principal office in the City of Harrisburg, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligees, in the penal sum of 5% of the amount (bid) 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
Requisition Number DEP14146

Glade Run Mining Company, Mr. Storm, WV Grant County

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 Obligees 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 each 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
1st day of April, 2008.

Principal Corporate Seal

Utilities Forestry Services, Inc.

(Name of Principal)

Donald L. Wendt

(Must be President or
Vice President)

Vice President

(Title)

Surety Corporate Seal

West American Insurance Company

(Name of Surety)

Randall L. Lemmo

Attorney-in-Fact

Randall L. Lemmo, 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.**

CERTIFIED COPY OF POWER OF ATTORNEY
THE OHIO CASUALTY INSURANCE COMPANY
WEST AMERICAN INSURANCE COMPANY

No. 36-911

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, an Ohio Corporation, and WEST AMERICAN INSURANCE COMPANY, an Indiana Corporation, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of The Ohio Casualty Insurance Company and Article VI, Section 1 of West American Insurance Company, do hereby nominate, constitute and appoint **Kevin D. McMillen or Randall L. Lemmo of Smethport, Pennsylvania** its true and lawful agent (s) and attorney (s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance **TEN MILLION (\$10,000,000.00) DOLLARS**, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Companies at their administrative offices in Hamilton, Ohio, in their own proper persons. The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company and West American Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of each Company this 29th day of April, 2003.



Sam Lawrence
Sam Lawrence, Assistant Secretary

STATE OF OHIO,
COUNTY OF BUTLER

On this 29th day of April, 2003 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Sam Lawrence, Assistant Secretary of THE OHIO CASUALTY INSURANCE COMPANY and WEST AMERICAN INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposed and said, that he is the officer of the Companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.



Cheryl S. Gregory

Notary Public in and for County of Butler, State of Ohio
My Commission expires August 6, 2007.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of The Ohio Casualty Insurance Company and Article VI, Section 1 of West American Insurance Company, extracts from which read:

Article VI, Section 7. APPOINTMENT OF ATTORNEYS-IN-FACT, ETC. "The chairman of the board, the president, any vice-president, the secretary or any assistant secretary of each of these Companies shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Companies as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

Article VI, Section 1. APPOINTMENT OF RESIDENT OFFICERS. "The Chairman of the Board, the President, any Vice President, a Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint attorneys in fact for the purpose of signing the name of the corporation as surety or guarantor, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of surety-ship or guarantee, and policies of insurance to be given in favor of an individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of any county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the respective directors of the Companies (adopted May 27, 1970-The Ohio Casualty Insurance Company; adopted April 24, 1980-West American Insurance Company):

"RESOLVED that the signature of any officer of the Company authorized by the By-Laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company and West American Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Companies and the above Resolution of their Boards of Directors are true and correct copies and are in full force and effect on this date. IN WITNESS WHEREOF, I have hereunto set my hand and the seals of the Companies this 1st day of April, 2008.



Mad. S. Schmidt
Assistant Secretary

051

RFQ No. DEF14146STATE OF WEST VIRGINIA
Purchasing Division**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.

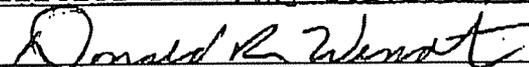
"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality 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 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: Utilities Forestry Services, Inc.Authorized Signature:  Date: 3/28/2008

005

**Addendum #1 - Questions During Pre-Bid Meeting
For DEP 14146
Glade Run Mining Permit # 3-72**

- 1.) **Q.** Have you done any boring at the pond area?
A. No, this is a former pond site.

- 2.) **Q.** How high will the seep collector be installed along the bank?
A. About 10 feet on the bank, just high enough to get the water to gravity flow toward the beginning of the new treatment pond location. The existing pond site may need to be lowered to bring the seep water to the beginning of the treatment system.

- 3.) **Q.** Is there a problem with coming back to hand bore the old pond site?
A. No problem, you can come back. We do not know what was used to backfill the site.

- 4.) **Q.** If we have too much dirt down there (old pond site), where are we going to take it?
A. This would be an option to bring it up here (standing at a small pond to be regraded) at this old pond site, we also talked about filling areas near the new treatment pond site, and getting rid of some of the material over the side pending land owner approval off of the original bonded area, and we can fill in any areas on the bonded site.

- 5.) **Q.** Who is the landowner?
A. He lives on the strip just above the work area, his last name is Davis.

RECEIVED
MAY 19 2008
TMA