



**Backhoe, Dozer, Track Excavator  
Tractor, Lowboy & Dump Truck  
Reclamation Services - 35 Years Experience  
Phone: (304) 765-2194 — Fax: (304) 765-2066**

Sam Skidmore, owner                      655 Poplar Ridge  
FEIN# 31-151-8432 - WV-028888        Sutton, West Virginia 26601

*7 Pages counting cover sheet*

**Sealed Bid Enclosed**

RFQ Number: DEP 14228  
Buyer: Chuck Bowman  
Bid Opening Date: 3-12-08  
Bid Opening Time: 1:30 PM

**Mail To:**

WV PURCHASING DIVISION  
2019 WASHINGTON ST E  
PO BOX 50130  
CHARLESTON WV 25305-0130

PURCHASING DIVISION  
STATE OF WV

2008 MAR 12 P 12: 29

RECEIVED



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

**Request for Quotation**

BID NUMBER  
**DEP14228**

PAGE  
**1**

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**SAM'S EXCAVATION**  
**SAM SKIDMORE**  
 655 POPLAR RIDGE  
 SUTTON, WV 26001

**ENVIRONMENTAL PROTECTION**  
**DEPT. OF**  
**OFFICE OF SPECIAL RECLAMATION**  
**116 INDUSTRIAL DRIVE**  
**OAK HILL, WV**  
**25901 304-465-1911**

| DATE PRINTED                 | TERMS OF SALE | SHIP DATE                | EST | DESCRIPTION |
|------------------------------|---------------|--------------------------|-----|-------------|
| 01/17/2008                   |               |                          |     |             |
| BID OPENING DATE: 03/12/2008 |               | BID OPENING TIME 01:30PM |     |             |

| LINE  | QUANTITY | JOB | EST NO. | UNIT PRICE | AMOUNT     |
|---|----------|-----|---------|------------|------------|
| 0001  | 1        | JB  | 962-73  |            | 648,582.00 |
| <p><b>RECLAMATION: RESTORATION OF LAND</b></p> <p><b>SPECIAL RECLAMATION/BOND FORFEITURE PROJECT</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF 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 RALEIGH COMMERCIAL DEVELOPMENT CORPORATION UNDER REVOKED PERMIT NUMBER(S) 187-74. THIS SITE CONSISTS OF APPROXIMATELY 24 ACRES AND IS LOCATED NEAR MEADOW BRIDGE, WV IN FAYETTE 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 02/12/2008 @ 10:00 AM. FAILURE TO ATTEND THE PREBID CONFERENCE WILL RESULT IN BID DISQUALIFICATION.</p> <p>DIRECTIONS TO PREBID: FROM THE MEADOW BRIDGE POST OFFICE, TAKE STATE ROUTE 20 NORTH TOWARD RAINELLE. TRAVEL 0.4 MILE AND TURN LEFT ON STATE ROUTE 31 TOWARD DANESE. TRAVEL 2.2 MILES AND TURN RIGHT ONTO HAULROAD. TRAVEL 0.1 MILE AND KEEP STRAIGHT UPHILL. TRAVEL 0.8 MILE AND TURN LEFT UPHILL. TRAVEL 0.3 MILE AND TURN LEFT AT THE MINE SITE.</p> |          |     |         |            |            |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Samuel Skidmore* TELEPHONE: 304-765-2194 DATE: 3-12-08

FEIN: 31-151-8432 ADDRESS CHANGES TO BE NOTED ABOVE

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

**SAM'S EXCAVATION  
SAM SKIDMORE  
685 POPLAR RIDGE  
SUTTON, WV 26801**

|  |             |                            |
|--|-------------|----------------------------|
| BUYER<br>CB-23   | PAGE<br>015 | REQ. OR PO NO.<br>DEP14228 |
| SPENDING UNIT  |             |                            |
| WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION / OFFICE OF SPECIAL RECLAMATION |             |                            |

WV-36 STATE OF WEST VIRGINIA  
REV. 1/29/02 PURCHASING CONTINUATION SHEET  
VENDOR:

| ITEM NO.   | QUANTITY | DESCRIPTION   | UNIT PRICE        | AMOUNT              |
|--|----------|---|-------------------|---------------------|
| <b>BID SCHEDULE</b>  |          |   |                   |                     |
| <b>PERMIT NAME: <u>Raleigh Commercial Development Corporation</u></b>  |          |   |                   |                     |
| <b>PERMIT NUMBER(S): <u>187-74</u></b>   |          |   |                   |                     |
| <b>The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.</b> |          |   |                   |                     |
| 1.0  | LUMP SUM | <u>MOBILIZATION/DEMobilIZATION (5% Total Bid Maximum for this permit)</u>       | LUMP SUM          | <u>\$14,000.00</u>  |
| 2.0  | LUMP SUM | <u>SPILL CONTAINMENT AREA (S.C.A.) (\$1,000.00 Maximum Bid for this permit)</u> | LUMP SUM          | <u>\$ 0.00</u>      |
| 3.0  | LUMP SUM | <u>HAULROAD/ACCESS ROAD (5% Total Bid Maximum for this permit)</u>              | LUMP SUM          | <u>\$5,000.00</u>   |
| 4.0  | LUMP SUM | <u>BACKFILLING</u>  | LUMP SUM          | <u>\$515,000.00</u> |
| 5.0  | LUMP SUM | <u>REGRADING AND TOPSOILING</u>   | LUMP SUM          | <u>\$52,582.00</u>  |
| 6.0  |          | <u>REVEGETATION</u>   |                   |                     |
| 6.1  | LUMP SUM | <u>AGRICULTURAL LIME</u>  | LUMP SUM          | <u>\$7,200.00</u>   |
| 6.2  | LUMP SUM | <u>FERTILIZER</u>   | LUMP SUM          | <u>\$13,600.00</u>  |
| 6.3  | LUMP SUM | <u>MULCH</u>  | LUMP SUM          | <u>\$13,600.00</u>  |
| 6.4  | LUMP SUM | <u>VEGETATIVE SPECIES</u>   | LUMP SUM          | <u>\$13,600.00</u>  |
| 7.0  | LUMP SUM | <u>CONSTRUCTION STAKEOUT (Limited to 5% Total Bid For This Permit)</u>          | LUMP SUM          | <u>\$2,000.00</u>   |
| 8.0  | 2000 LF  | <u>HAYBALE DIKE (Max. Bid \$5.00 Per LF)</u>                                    | \$ 35.0<br>PER LF | <u>\$7,000.00</u>   |

**SAM'S EXCAVATION**  
**SAM SKIDMORE**  
 655 POPLAR RIDGE  
 SUTTON, WV 26601

|   |                    |                            |
|---|--------------------|----------------------------|
| BUYER<br>CB-23  | PAGE<br><b>016</b> | REQ. OR PO NO.<br>DEP14228 |
| SPENDING UNIT   |                    |                            |
| WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION/ OFFICE OF SPECIAL RECLAMATION |                    |                            |

WV-36 STATE OF WEST VIRGINIA  
 REV. 1/29/02 PURCHASING CONTINUATION SHEET  
 VENDOR:

| ITEM NO.                              | QUANTITY    | DESCRIPTION                            | UNIT PRICE  | AMOUNT               |
|---------------------------------------|-------------|--|-------------|----------------------|
| 9.0                                   | LUMP SUM    | <u>RIP-RAP DITCH ONE (1)</u>           | LUMP SUM    | \$ <u>900.00</u>     |
| 10.0                                  | LUMP SUM    | <u>STRUCTURE AND/OR DEBRIS REMOVAL</u> | LUMP SUM    | \$ <u>0.00</u>       |
| 11.0                                  | NO BID ITEM | <u>UTILITIES</u>                       | NO BID ITEM | \$ <u>0.00</u>       |
| <b>TOTAL FOR PERMIT <u>187-74</u></b> |             |  |             | \$ <u>648,582.00</u> |

**SAM'S EXCAVATION**  
**SAM SKIDMORE**  
858 POPLAR RIDGE  
SUTTON, WV 26501

RFQ No. DEP14228

STATE OF WEST VIRGINIA  
Purchasing Division

158

# 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](http://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: Sam's Excavation

Authorized Signature: Samuel Skidmore Date: 3-12-08

**SAM'S EXCAVATION  
SAM SKIDMORE**  
655 POPLAR RIDGE  
SUTTON, WV 26601

# UNITED STATES SURETY COMPANY

Power of Attorney Number

63326


KNOWN ALL MEN BY THESE PRESENTS: That United States Surety Company (the "Company"), a corporation organized and existing under the laws of the State of Maryland, does hereby constitute and appoint: **Patricia Ann Fincke, Gregory T. Gordon, Larry D. Kerr, Allan L. McVey, Patricia A. Moye, Kimberly J. Wilkinson**

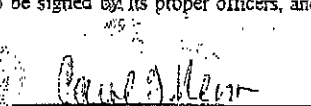
of the City of Charleston, State of West Virginia, its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof of the Company in its business of providing suretyship, guaranteeing the performance of contracts, and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law, subject to the following limitations:

**No single bond shall obligate the Company in excess of the sum of Three Million Dollars (\$3,000,000).**

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of United States Surety Company on the 29<sup>th</sup> day of July, 1996.

IN WITNESS WHEREOF, United States Surety Company has caused these presents to be signed by its proper officers, and its corporate seal to be hereunto affixed this 28th day of June, 2007.

  
Richard E. Klein, President

  
Carol T. Nevin, Assistant Secretary

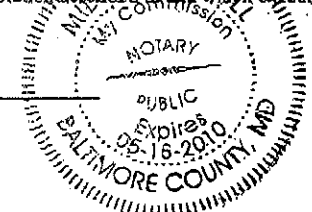


STATE OF MARYLAND  
BALTIMORE COUNTY

SS:

On this 28th day of June, A. D. 2007, before me personally came Richard E. Klein, President of the United States Surety Company, and Carol T. Nevin, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Richard E. Klein and Carol T. Nevin were respectively the President and Assistant Secretary of the United States Surety Company, the corporation described in and which executed the foregoing Power of Attorney.

(Signed)   
NOTARY PUBLIC  
My Commission expires the 15th day in May, 2010.



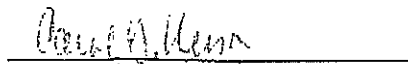
RESOLVED, that in connection with the surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to any Power of Attorney issued in accordance with these resolutions ("Powers of Attorney"). All Powers of Attorney for and on behalf of the Company shall be executed in the name and on behalf of the Company, either by the Chair, the President, a Vice President jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signatures of such officers and the seal of the Company may be also be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact, for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof. Subject to any limitations set forth therein and unless such Power of Attorney is subsequently revoked, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company, and any such Power of Attorney so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them and unless subsequently revoked, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by the Company's Chair, the President, a Vice President, and sealed and attested to by the Corporate Secretary or an Assistant Secretary.

I, Carol T. Nevin, Assistant Secretary of United States Surety Company, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on the 29<sup>th</sup> day of July, 1996, and that this Resolution is in full force and effect.

I, the undersigned Assistant Secretary of United States Surety Company, do hereby certify that the foregoing Power of Attorney is in full force and affect and has not been revoked.

In testimony whereof, I have hereunto set my hand and the seal of United States Surety Company on this 12<sup>th</sup> day of March, 2008.

  
Carol T. Nevin, Assistant Secretary



**SAM'S EXCAVATION**  
**SAM SKIDMORE**  
655 POPLAR RIDGE  
SUTTON, WV 26903

Agency \_\_\_\_\_  
REQ.P.O# DEP14228

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Sam's Excavation, LLC  
of Sutton, WV, as Principal, and United States Surety Company  
of Timonium, MD, a corporation organized and existing under the laws of the State of  
MD with its principal office in the City of Timonium, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5%) 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  
REQ # DEP14228 Raleigh Commercial Development Corporation, Fayette County - According to Plans and  
Specifications

**NOW THEREFORE,**

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

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

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations  
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this  
12th day of March, 2008

Principal Corporate Seal

Sam's Excavation, LLC  
(Name of Principal)

By Samuel Skidmore  
(Must be President or  
Vice President)

Samuel N. Skidmore Managing Member  
(Title)

Surety Corporate Seal

United States Surety Company  
(Name of Surety)

By: Gregory T. Gordon  
Gregory T. Gordon, WV Resident Agent Attorney-in-Fact

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