

J.L. Pretzel Contracting, LLC

WV#042529

274 Horseshoe Drive Bruceton Mills, WV 26525 Phone (304)379-7789 Fax (304)379-7788

7/11 OCT 15 A 10: 15

FAX:

To: W.V. Div. of Purchasing / Chuck Bowman

From: JL Pretzel Conting / Charlene

Date: 10/15/09

Fax# 304-558-3970

No. of Pages: 25

Please Respond: Yes (No)

RE: Sealed Bid

Buyer: CB-23 RFQ. NO.: DEP14772

Bid Opening Date: 10/15/2009 Bid Opening Time: 1:30 PM

Hard Copy to Follow by US MAil.

P21

J.L.Pretzel Contracting



State of West Virginia DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT

West Virginia Code §21-1D-5
COUNTY OF Preston, TO-WIT:
I, Charlewe Pretzel, after being first duly sworn, depose and state as follows:
1. I am an employee of JL Pretzel Contracting (Company Name) (Company Name)
2. I do hereby attest that <u>TL Pretzel Contracting LLC</u> (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.
The above statements are sworn to under the penalty of perjury. The Frequency Contracting UC (Company Name)
By: Charlene Pretzel
Title: Office Mgr.
Date: 10/14/2009
Taken, subscribed and sworn to before me this ## day of Afalus 2019
Official Seal Official Seal Sharon L. Harsh Sharon R. Harsh
Bruceton Mills, WV 26525 (Notary Public) My commission expires April 6, 2017
THIS OFFEDOVET MUST'BE SUBMITTED WITH THE BID IN ORDER TO
COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE

Rev March 2009



J.L.Pretzel Contracting

Request for Quotation

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AD	DRESS CORRESPONDENCE TO ATTENTION OF THE
CHUCK	BOWMAN
304-55	8-2157

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RFQ COPY
TYPE NAME/ADDRESS HERE
J L Pretzel Contracting, LLC
274 Horseshoe Drive
Bruceton Mills, WV 26525

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-00

304-926-0499 304-379-7789 DATE PRINTED TERMS OF SALE SHIP. VIA FOR FREIGHTTERMS 09/01/2009 BID OPENING DATE: 10/15/2009 BID OPENING TIME QUANTITY HOD UNITERICE TEM NUMBER AMOUNT 0001 962-73 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPT. OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLANATION OF 2-ACRE ABANDONED MINE PROJECT KNOWN AS THE "CROOKED FORK HIGHWALL #2" PROJECT LOCATED NEAR WESTON, WEST VIRGINIA, (LEWIS CO.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND TH MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF NO ONE PERSON MAY REPRESENT MORE THAN ONE ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIEY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. SEE REVERSESIDE FOR TERMS AND CONCITIONS 304-379-7789 20-8097120 ADDRESS CHANGES TO BE NOTED ABOVE WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

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

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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.
- 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, the State may deem this contract null and void, and terminate such contract 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



J.L.Pretzel Contracting

Request for Quotation

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

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

304-379-7789

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TYPE NAME/ADDRESS HERE

J L Pretzel Contracting, LLC

Bruceton Mills, WV 26525

274 Horseshoe Drive

DATE PRINTED TERMS OF SALE F.O.B. FREIGHT TERMS 09/01/2009 BID OPENING DATE: 10/15/2009 BID DPENING TIME LINE CUANTITY ITEM NUMBER HOP. UNIT PRICE AMOUNT ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER. ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNIAL PORTION OF THE PRE-BID, WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID, WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET. DIRECTIONS TO PREBID: FROM I-79, TAKE EXIT 91 (ROANOKE). TURN LEFT OFF THE EXIT RAMP AND TRAVEL 0.3 MILE TO THE GOOSEPEN ROAD CO. TURN LEFT ON GOOSEPEN ROAD AND TRAVEL 0.9 MILE BEARING RIGHT ONTO CROOKED RUN ROAD COUNTY RT. 20/9 (NOT LABELED). FOLLOW CROOKED RUN ROAD FOR 2.3 MILES TO THE SITE ON THE LEFT. THE SITE IS LOCATED TO THE LEFT OF A 2-STORY FARMHOUSE THAT SETS ACROSS THE STREAM. PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WYDEP, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304, PH. 304-926-0485 UPON PAYMENT OF \$10.00 NON-REFUNDABLE PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. NO CASH WILL BE ACCEPTED. EXHIBIT 5 WEST VIRGINIA CODE 21-110-5 PROVIDES THAT: ANY SOLICI-TATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE THE ENCLOSED PURCHASING AFFIDAVIT MUST WITH THE BID. BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TELEPHONE 304-379-7789 304-379-7789 FEIN 20-8097120 ADDRESS CHANGES TO BE NOTED ABOVE WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

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

J.L.Pretzel Contracting

Request for Quotation DEP14772

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CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

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304-379-7789

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



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CHUCK	BOWNAN
304-55	8-2157

RFQ COPY TYPE NAME/ADDRESS HERE J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

304-379-7789

DATE PRINTED: TERMS OF SALE SHIP VIA FO.B. FREIGHT TERMS 09/01/2009 BID OPENING DATE: 10/15/2009 BID OPENING TIME 01:30PM · JOP WUNE. CYTTYAUD TEM NUMBER UNITERIÇÊ AVOUNT (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.) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMDUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. (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, TRREVOCABLE 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 BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND.) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 AML CONTRACTOR INFORMATION FORM OMB #1029-0119 CEXPIRATION DATE: 01/31/2010) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML SEE REVERSESIDE FOR TERMS AND CONDITIONS 304-37.9-7789 2009 ADDRESS CHANGES TO BE NOTED ABOVE 20 - 8097120 WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED VENDOR'



Request for PRONUMBERS NOW NO. Quotation

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

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

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Bruceton Mills, WV 26525

274 Horseshoe Drive

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

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

RFQ COPY TYPE NAME/ADDRESS HERE J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

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J.L.Pretzel Contracting

Request for PRONOMBER 2018 Quotation

ADDRESS CORRESPONDENCE TO ATTENTION OF THE STATE OF THE S CHUCK BOWMAN 304-558-2157

REQ COPY TYPE NAME/ADDRESS HERE J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

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Request for REGNUMBER Quotation DEP14772

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

RFQ COPY TYFE NAME/ADDRESS HERE J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

304-379-7789

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Request for AFONUMBER 221 Quotation

DEP14772

CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

ADDREES CORRESPONDENCE TO ATTENTION OF THE SECOND

304-379-7789

REQ COPY

TYPE NAME/ADDRESS HERE

J L Pretzel Contracting, LLC

Bruceton Mills, WV 26525

274 Horseshoe Drive

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Request for Quotation

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

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Request for PRONUMBERS SALES Quotation

ADDRESS CORRESPONDENCE TO ATTENHON OF A SECOND CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WY 304-926-0499 25304

304-379-7789

REQ COPY

274 Horseshoe Drive

TYPE NAME/ADDRESS HERE

J L Pretzel Contracting, LLC

Bruceton Mills, WV 26525

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ADDRESS.CORRESPONDENCE TO ATTENDON OF CHUCK BOWMAN 304-558-2157

RFQ COPY TYPE NAME/ADDRESS HERE J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

304-379-7789

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

Request for A PART NUMBER & USE Quotation

DEP14772

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

PFQ COPY TYPE NAME/ADDRESS HERE J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

25304 304-926-0499

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Quotation

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

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

Part A: General Information

P16

OMB #1029-0119 Expiration Date: Ol/31/2010

AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an AML eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This eligibility requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

Contractor Name: TL Aretzel Contracting Tax Payer ID No.: 20-8097120
A Samon 2711 : Ware a chap Drive
City: Bruceton Mills State: WV Zip Code: 26525 Phone: 304-379-7789
Fax No.: 304-379-7788 E-mail address: Cpretzel@aol.com Part B: Legal Structure Prtzroc@aol.com
Part B: Legal Structure Prtzroce adl.com
() Corporation () Sole Proprietorship () Partnership XLLC () Other (please specify)
Part C: Certifying and updating information in the Applicant/Violator System (AVS). Select only one of the following options, follow the instructions for that option, and sign below.
I, Charleve Fre Tel , have the express authority to certify that:
(print name) Information on the attached Entity OFT from AVS is accurate, complete, and uptodate. If you select this option, you must attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
Part of the information on the attached Entity OFT from AVS is missing or incorrect and the information in AVS for my company must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide missing or corrected information. Sign and date below and complete Part D.
Our company currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.
IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or request it from www.avs.osmre.~ov on the Internet.
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P17

J L Pretzel Contracting, LLC 274 Horseshoe Drive Bruceton Mills, WV 26525

304-379-7789

Part D.

Oct 15 09 10:13a

Contractor Name:

If the current entity and Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business affiliations. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- · All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name Jamie L. Pretzel Address 274 - Horseshoe Dr. Bruceton Mills, WV 26525	Position/Title OwnER/mgr. Telephone # 304-379-7189 100 % of Ownership Begin Date: 1/2007
Ending Date:	•
Name Address	Position/Title Telephone # % of Ownership Begin Date: Ending Date:
	and the state of
Name	Position/Title
Address	Telephone #
Begin Date:	% of Ownership Ending Date:
Name Address	Position/Title Telephone # % of Ownership Begin Date:
Endi	ng Date:

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to average 45 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 210 S1B, Constitution Ave., NW, Washington, D.C. 20246.



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

J.L.Pretzel Contracting

Request for Quotation

RFQ NUMBER DEP14772

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

RFQ COPY J L PRETZEL CONTRACTING 274 HORSESHOE DRIVE **BRUCETON MILLS WV 2525**

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

DATE PRINTED SHIP VIA F.O.B FREIGHT TERMS 09/27/2009 ID OPENING DATE: 10/15/2009 BID OPENING TIME 01:30PM LINE QUANTITY TEM NUMBER UNIT ÉRICE. NO. AMOUNT ***** ADDENDUM NO. I ************** ADDENDUM ISSUED FOR THE CROOKED FORK HIGHWALL #2 PRO-JECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, THE Q/A, THE REVISED BID SCHEDULE, AND DRAWINGS RESULTING FROM THE MANDATORY PRE-BID MEETING OF 09/17/09. BID OPENING DATE AND TIME REMAIN UNCHANGED AS 10/15/09 AT 1:30 PM. 001 JΒ 962-73 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THIS IS THE END OF REQ **** DEP14772 ***** TOTAL: SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE 304-379-7789 8097120 ADDRESS CHANGES TO BE NOTED ABOVE WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

4

Crooked Fork Highwall #2 Requisition DEP14772 REVISED Contractor Bid Sheet

Com	pany Na	ame: J	L Pret	iel (Iontruc	ting LCC
Add	ress:	274	Horses	hoe	Dr.	
	Bru	cetor	Mills,	WV	26525	

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM					
NO.	Qty	Unit	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	1	LS	Mobilization and Demobilization (Limited to 10% of Total Bid)	LS	\$ 12,200.00
2.0	1	LS	Construction Layout (Limited to 5% of Total Bid)	LS	\$ 1,860.00
3.0	1	LS	Quallity Control (Limited to 3% of Total Bid)	LS	8 3,720,00
4.1	1	LS	Site Preparation (Limited to 10% of Total Bid)	LS	4 4,000,00
4.2	50	TON	Crusher Run Stone		# 1,250,00
5.0	1,200	LF	Sediment Control	\$ 3,00	4 3,600.00
6.0	1	AC	Revegetation	\$4000.00	\$ 4,000,00
7.1	822	LF	12 Riprap Chaoner	\$ 70.00	\$ 51,540.00
7.2	40	LF	4' Riprap Channel	\$ 70,00	
7.3	1	LS	Channel Crossing	\$ 1,200,00	\$ 1,200.00
7.4	60	LF	Stream Bank Protection	\$ 100.00	
7.5	1	LS	Temporary Stream Crossing	# 21.080.00	\$ 21,080.00
11.1	150	LF	3' x 3' Underdrain (12" PVC SDR 35)	# 30,00	\$ 4,500,00
11.2	50	LF	Conveyance Pipe (12" PVC SDR 35)	\$ 25,00	\$ 1,250.00
					7000.00

*****		*****			
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*********			TOTAL		# 125, COO, 00
		PC	1 1 Land Twenty Five Thomas	/ 	<u> </u>

One Hundred and Twenty Five Thousand Dollars
And no Icents.

AID BOND

BOND #261061-01

ENGY ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED J L PRETZEL CONTRACTING LLC
274 HORSESHOE DRIVE, BRUCETON MILLS, WV 26525 AS PRINCIPAL, AND
AMERICAN CONTRACTORS INDEMNITY COMPANY AS SURETY, ARE HEREBY HELD AND
FIRMLY BOUND UNTO WW ENVIRONMENTAL PROTECTION AS OWNER IN THE
PENAL SUM OF SIX THOUSAND TWO HUNDRED FIFTY 00/1992 THE PAYMENT OF WHICH, WELL AND
TRULY TO BE MADE, WE HEREBY JOINTLY AND SEVERALLY BIND OURSELVES. SUCCESSORS AND ASSIGNS.
SIGNED, THIS 15TH DAY OF OCTOBER PAR 2009
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE PRINCIPAL HAS
SUBBITTED TO WY ENVIRONMENTAL PROTECTION A CERTAIN BID, ATTACHED
HERETO AND HEREEY HADE A PART HEREOF TO ENTER INTO A CONTRACT IN WRITING, FOR THE
2 ACRE ABANDONED MINE PROJECT/STREAM RECUT IN LEWIS COUNTY, WV DEP 14772

NOW, THEREFORE,

- (A) If said Bid shall be rejected, or in the alternate,
- (B) If waid Bid shall be accepted and the principal shall execute and deliver a contract in the form of contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid.

Then this obligation shall be void, otherwise the same shall remain in force and effect: It being expressly understood and sureed that the liability of the surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation we herein stated.

BID BOND: Page 1 of 2

THE SURETY, FOR VALUE RECEIVED, HEREBY STIPULATES AND AGREES THAT THE OBLIGATIONS OF SAID SURETY AND ITS BOND SHALL BE IN NO WAY IMPAIRED OR AFFECTED BY ANY EXTENSION OF THE TIME WITHIN WHICH THE OWNER MAY ACCEPT SUCH BID; AND SAID SURETY DOES HEREBY WAIVE NOTICE OF ANY SUCH EXTENSION.

IN WITHESS WHEREOF, THE PRINCIPAL AND THE SURETY HAVE HEREUNTO SET THEIR HANDS AND SEALS, AND SUCH OF THEM AS ARE CORPORATIONS HAVE CAUSED THEIR CORPORATE SEALS TO BE HERETO AFFIXED AND THESE PRESENTS TO BE SIGNED BY THEIR PROPER OFFICERS. THE DAY AND YEAR FIRST SET PORTH ABOVE.

J LARETZEL CONTRACINGPRINCIPAL LLC MANAGER

AMERICAN CONTRACTORS INDEMNITY COMPANY

SURETY

BRENDA G. POFF. ATTORNEY CIN-FACT

IMPORTANT -- Sursty companies executing bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

BID BOND': Page Z of 2

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P20

RFQ No. DEP14-772

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: 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.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. The vendor must make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

ANTITRUST:

Oct 15 09 10:16a

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for pirice fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

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

Vendor's Name:	JL	1	etze!	Contra	eting	LLC.		
Authorized Signature	:(1			Da	ate: .	10/14	12009
Purchasing Affidavit (Revis	ed 01/01/C							