



# **L.A. GATES COMPANY**



**EXPRESSION OF INTEREST  
TO PROVIDE A/E SERVICES FOR THE  
WVDEP, AML&R**

**GARDEN GROUND HIGHWALLS PROJECT  
FAYETTE COUNTY, WEST VIRGINIA  
DEP14846**

**Issuing Office:  
West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands and Reclamation  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304**

**Submitted By:  
L.A. Gates Company  
2302 South Fayette Street  
Beckley, WV 25801  
(304) 256-1640**

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**November 3, 2009**

PURCHASING DIVISION  
STATE OF WV

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# L. A. GATES COMPANY

ENGINEERS AND CONSULTANTS

LESLIE C. GATES, P.E.  
CHAIRMAN

L. A. GATES, P.E.  
PRESIDENT

J. W. CANTLEY, JR., P.E., P.S.  
EXECUTIVE VICE PRESIDENT

November 3, 2009

State of West Virginia  
Department of Administration  
Purchasing Division  
Attn: Mr. Chuck Bowman, Buyer  
2019 Washington Street, East  
Charleston, WV 25305-0103

Re: Expression of Interest to Provide Professional A/E Services for the  
WVDEP, Office of Abandoned Mine Lands and Reclamation  
RFQ Number DEP-14846

Dear Mr. Bowman:

L.A. Gates Company (Gates) is pleased to submit this Expression of Interest to provide professional architectural and engineering services for the Garden Ground Highwall project located in Fayette County, West Virginia. This project's scope of work is a principal area of expertise for Gates', and our staff is uniquely qualified to complete the tasks required.

Gates' highly technical and experienced staff is capable of providing a wide range of services to engineering projects to include: engineering design, geology, project management, planning, due diligence, feasibility studies, surveying and construction management. We are specifically targeting AML projects in an effort to expand our services within the coal industry. We targeted AML because our mining staff is uniquely experienced and qualified for the engineering services required in such projects. Our core staff of engineers and technicians have an average of 26 years experience each directly related to mining design and reclamation.

The Garden Ground Highwall project specifically relates to reclamation and structural engineering, both strengths of our company. Our management and technical staff have completed over 50 such projects for surface mines, deep mines and coarse refuse facilities throughout the state. In addition to having the technical and management qualifications and experience to complete this project we are strategically located minutes from the project area, thus are capable of providing quick on-site assistance when needed.

Gates looks forward to establishing a long-lasting, professional relationship with the West Virginia Department of Environmental Protection Agency Abandoned Mine Lands Office.

Sincerely,  
L.A. Gates Company



Jerry W. Cantley, P.E., P.S.  
Executive Vice President



Patrick M. Murphy, P.E.  
VP – Environmental Engineering

encls



**Corporate History and Experience.....Pages 1 through 6**

**Project Approach.....Page 7**

**Project Team.....Page 8**

**AML Consultant Confidential Qualification Questionnaire..... Attachment B**

**AML CCQQ Item 12A thru 12D Supplemental Information.....Attachment B-1**

**AML CCQQ Item 13 Supplemental Information.....Attachment B-2**

**AML and Related Project Experience Matrix.....Attachment C**

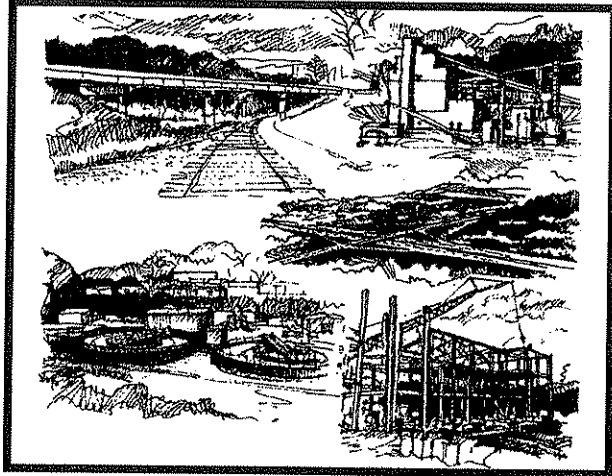
**Signed Expression of Interest.....Attachment D**

**Signed Purchasing Affidavit.....Attachment E**



## Introduction

L.A. Gates Company (Gates) proposes to provide architectural and engineering services to the West Virginia Department of Environmental Protection Agency, Office of Abandoned Mine Lands and Reclamation. These services will include: contract administration, geology, engineering, drafting and other tasks as required. The project as outlined in the Expression of Interest is to provide engineering design services for the reclamation of approximately 12 miles of abandoned highwall and to raze existing structures.



Gates is a third generation consulting engineering firm whose origin dates back to 1905. Our roots stem from Gates Engineering Company which had direct lineage to the E.M. Merrill Engineering Company organized in 1905 in Beckley, West Virginia. Gates Engineering Company closed its doors in 1985, at which time L.A. Gates created L.A. Gates Company. Today, Gates is a full-service consulting engineering firm offering a complete range of engineering services to both private and public clients. We are capable of providing services in civil, environmental and mining engineering; gas/oil; geology; feasibility studies; idle property management; construction management and inspections; due diligence; surveying and permitting. Our staff is capable of taking a project from the planning stage, through engineering and into construction, where resident engineering and inspection services are available. For special needs we can call on specialists such as soil scientists, archeologists, foresters, etc.

In an effort to more fully service our clients, Gates recently formed Gates Consultants, a subsidiary of L.A. Gates Company, with the specific goal to align associates from different facets of mining, a wide geographic range, and diverse background for the specific purpose of performing specialized services such as due diligence, financial analysis, mineral appraisals, operational management and process analysis. Gates Consultants is versatile in the fact that it has the flexibility to mix and match its various Associates in order to best meet the client's needs for almost any particular project. Gates Consultants have extensive experience in soft and hard rock mining both domestic and international.



### ***Mining and Environmental***

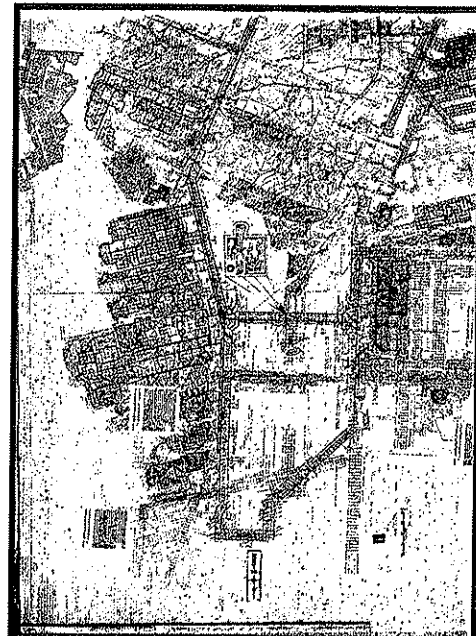
Gates offers a full range of mining and environmental services for surface, underground, refuse and reclamation activities. Our projects have included: permitting, reserve analysis, feasibility studies, idle property management, due diligence, geological exploration and engineering design.



We also provide expert testimony on behalf of coal operating companies, equipment manufacturers, and electric utilities in contractual, health and safety, and operations related disputes. Our staff has the capability and the technical and professional expertise to evaluate the productivity of coal operating companies and the validity of coal pricing under long and intermediate term contracts.

Our mining personnel are well known throughout the mining community and have a good and established liaison with both the industry and governmental agencies. L.A. Gates Company, combined with Gates Consultants, has the engineers, geologists and other specialists needed to provide quality experience in the following areas:

- Surface Mine Management
- Coal Reserve Studies
- Mine Planning
- Economic Feasibility Studies
- Mine Management Analysis
- Mine Site Design and Development
- Ventilation Design
- Hydrologic/Hydraulic Design of Erosion and Sediment Control Structures
- Preparation of Revegetation Plans
- Coal Refuse Reprocessing and Reclamation Plans
- Surface/Deep Mine Mining and Reclamation Plans
- Design of Excess Spoil Storage Facilities (Valley Fills)
- Slope Stability Analysis
- Due Diligence
- Haulroad Designs
- Subsidence Control Plans
- Design of Deep Mine/Highwall Mining Wet/Dry Seals
- Design of Bat Gates
- Coal Reserve Studies
- Mine/Refuse Reclamation
- Mine Portal Reclamation



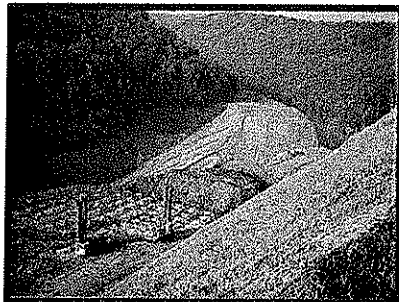


## ***Civil Engineering***

Gates offers a variety of civil engineering functions such as highway design; foundation design, bridge design and surveying. One of our firm's greatest strengths has been our expertise in highway design. At Gates, we utilize the latest CADD and Civil software to perform virtually all aspects of highway design. Our highway projects have ranged in scope from large multi-county alignment studies to urban roadway improvements, and interstate interchanges. This wide variety of projects has given us valuable experience in areas of highway design such as traffic analysis, signalization, storm water systems, right-of-way plans, signing and lighting, and intersection design.

Economic considerations are an integral part of every structural design and we have a strong nucleus of experienced engineers utilizing the most current computer programs available. Our staff routinely completes structural analyses and prepares detailed plans for buildings, dams, retaining walls and industrial facilities. We offer inspections of existing structures to uncover structural damage and to provide the necessary information to ensure that proper maintenance is done to preserve the useful life of the structure.

Our bridge department has extensive experience with simple and multi-span highway bridges and has completed numerous bridges for state and federal agencies as well as private and industrial facilities. We have comprehensive experience with pre-cast concrete as well as curved and straight steel girder bridges. We utilize the latest computer technology to design structurally efficient bridges and to conduct detailed hydraulic analyses to ensure our designs have the required hydraulic capacity. During the preliminary phase, we pride ourselves on getting the right bridge for the site. Two of our more recent completed projects include the Grey Flats – Cranberry Creek Bridge (2009 Engineering Excellence Award Finalist Large Bridge Category), the Mill Creek Bridge (2009 Engineering Excellence Award Finalist Small Bridge Category).





### **Permitting**

Gates provides a full range of permitting and engineering services for the environmental and mining community. Our staff of engineers, geologists, designers, technicians and support staff are among the best the industry has to offer. Our staff have experience in consulting, industry and with governmental agencies, thus they are well rounded and able to view projects from all angles. Through this diverse experience they are able to fully develop a quality final product...the first time.



### **Representative Experience**

- Article 3 Permits (MTR, Deep Mine, Contour/HWM, Maintenance Activities, (etc)
- Article 11 Permits (NPDES)
- Quarry Permits
- Air Quality Permits
- AOC Modeling
- Surface Water Runoff Analysis (SWROA)
- Subsidence/Ground Control Plans
- State 401 and USCOE 404 Permits
- Coarse Coal Refuse Facilities
- Slope Stability Analysis
- Valley Fill Designs
- Erosion and Sediment Control Design
- Probably Hydrologic Consequence (PHC's)
- Slope and Shaft Permitting and Design
- Reclamation Design
- Hydrology/Hydraulic Design/Analysis
- Underground Injection Wells

### **Representative Clients**

- Imagin Natural Resources – WV
- CONSOL
- Alex Energy, Inc.
- Nicholas Energy, Inc.
- Republic Energy, Inc.
- Midland Trail Resources, LLC
- Spring Creek Energy, LLC
- West Virginia Coal Recovery - WVCR
- MAGNUM Coal

### **Representative Projects**

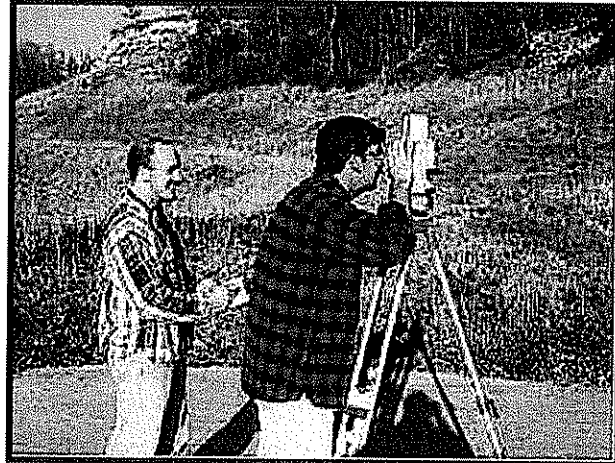
- Tioga Refuse Re-Mining Permit
- Republic Deep Mine
- Dingess No. 2 Deep Mine
- Long Branch Reserve Analysis
- Longbottom Contour Mine
- Cowen Loadout Facility
- Midland Trail Surface Mine No. 1
- Midland Trail Surface Mine No. 1 Amendment
- Dents Run Impoundment Abandonment Plan
- Fourmile Surface Mine No. 2
- Tate Run Surface Mine Regrade/Drainage Revision
- Right Fork Surface Mine Regrade/Drainage Revision
- Hardway Branch Surface Mine Regrade/Drainage Revision
- Paynter Branch South Surface Mine
- Skitter # 1 Surface Mine Regrade/Drainage/Subsidence Revision
- Jones Branch Loadout Drainage Revision





## **Surveying**

The surveying department for L. A. Gates Company is as experienced and diversified as any of the company's departments. The main thrust behind our surveying experience comes from the Brooks brothers, Estil and Lawrence, who have 34 and 29 years surveying experience, respectively. The brothers were part owners of their own surveying company, Brooks Brothers, until they joined L. A. Gates Company in 1996 to head up our Surveying Department. Some of the surveying tasks performed by L. A. Gates Company crews include the following:



- Field Topographic Surveys
- Aerial Mapping Surveys
- Core Boring Location
- River Sounding
- Utility Locations
- Property Line Locations
- Horizontal and Vertical Control
- Drainage Profiles
- Centerline Stakeout
- Water and Sewer Line Stakeout
- Building and Foundation Stakeout

L. A. Gates Company maintains the latest in state-of-the-art surveying equipment from Total Stations to GPS equipment. We currently possess sufficient equipment to operate two full-time survey crews. Our equipment inventory includes the following:

- Total Station - Topcon GTS-300 One Second angular accuracy
- Total Station - Leitz Set 4 ten second angular accuracy
- Data Collector - FS/2 Collector
- Automatic Level - Topcon AT-F6
- GPS Equipment - Wild/Lecia System 300 with 3 receiver units

With our ability to provide an extensive staff of qualified individuals, and our recent experience on a wide variety of projects, our team is ready to provide you with highly qualified surveying and related services to assist you with all of your surveying needs.



## **NATURAL GAS ENGINEERING**

Gates offers a complete range of natural gas engineering services for the production, transmission, storage, and distribution industries. Some of those services are described below:

- permitting and surveying for new pipelines, well locations, pipeline relocations and replacements, measurement and regulation facilities, compressor stations, and related equipment installations;
- as-built surveys and mapping for production, transmission, storage, and distribution projects;
- cost estimating, range estimating, risk analysis, and project controls services for your natural gas production, transmission, storage, and distribution projects; and
- on-site construction inspection and monitoring of your natural gas projects to ensure compliance with federal, state and local regulations, and environmental protection.



L.A. Gates Company is familiar with the proposed project area and is experienced in the type of project for which your office is soliciting engineering services. Gates is confident that we have a thorough understanding and comprehension of the tasks required of this project and are prepared to immediately tackle these tasks and provide AML with a first-rate product.

Gates will work closely and diligently with AML personnel and all associated regulatory agencies required to ensure this project is completed as efficiently and as cost-effectively as possible. Our permitting and mining staff work with various regulatory agencies on a daily basis and are well respected and trusted within the industry.

The scope of services that will be provided by Gates' include, but are not limited to:

- site visit to become more intimately knowledgeable of the site;
- surveying and contour mapping of the project area;
- coordination with all regulatory agencies;
- preparation of plans and specifications;
- participation in site visits and meetings;
- preparation of required permit applications;
- perform geotechnical designs and analysis;
- perform hydrologic/hydraulic designs and analysis; and
- any other services as directed by the WVDEP/AML office.

Our mission for this project:

- Provide deliverables in a timely and efficient manner.
- Keep our client informed during all facets of the project.
- Integrate new technology into our designs while continuing to provide economical, practical solutions to our clients needs.
- Ensure the project meets the performance standards set forth by the client and governing agencies.
- Encourage professional integrity and quality service.
- Maintain a high level of professional excellence.



L.A. Gates has assembled a project team of engineers, technical and support staff that will provide the breadth of knowledge and experience required for this project. Our staff consists of seasoned professionals who are more than qualified to perform the tasks required of this project and are ready to complete this project in a timely and efficient manner. The core staff is as follows:

**Management**

**Jerry W. Cantley, P.S., P.E.:** Mr. Cantley will serve as Project Contract Administrator. He will be responsible for overall project management and performance of the project.

**Patrick M. Murphy, P.E.:** Mr. Murphy will serve as Project Manager for this project. Mr. Murphy will be directly supervising the Project Engineers, CADD Designers, Geology and Permitting to ensure all objectives are being met and that the work is being performed to meet AML standards and specifications.

**Patty McCormick:** Ms. McCormick will be responsible for performing all permitting administrative functions as related to this project as well as ensuring all work is being performed to meet any and all regulatory agency standards and/or rules.

**Engineering**

The following personnel will be assigned to the project and will be available for design and analysis.

- Brian Bair, P.E., Structural Engineer
- Amelia McClure, P.E., Structural Engineer
- Joe Mills, P.E., Structural Engineer
- Gary Kincaid, P.E., Civil Engineer
- Angie Lilly, E.I.T

**CADD Design**

The following personnel will be assigned to the project and will be available for CADD design and drafting.

- Rick McClung
- Rob Rector

**Surveying**

The following personnel will be assigned to the project and will be available for surveying and mapping:

- Estil Brooks
- Lawrence Brooks



**AML Consultant Confidential Qualification  
Questionnaire**

**WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AML CONSULTANT CONFIDENTIAL QUALIFICATION QUESTIONNAIRE**

Attachment "B"

PROJECT NAME - **Garden Ground Highwall Project  
Requisition # DEP 14846**

1. FIRM NAME - **L. A. Gates Company**

2. HOME OFFICE BUSINESS ADDRESS  
**2302 South Fayette Street, Beckley, WV 25801**

3. FORMER FIRM NAME - **Gates Engineering**

DATE (DAY, MONTH, YEAR) **November 3, 2009**

FEIN - **#55-0649591**

4. HOME OFFICE TELEPHONE **304-256-1640**

5. ESTABLISHED (YEAR) **1985**

6. TYPE OWNERSHIP **Corporation**

6a. WV REGISTERED DBE (Disadvantaged Business Enterprise) YES **NO X**

7. PRIMARY AML DESIGN OFFICE: ADDRESS/ TELEPHONE/ PERSON IN CHARGE/ NO. AML DESIGN PERSONNEL EACH OFFICE  
**2302 South Fayette Street, Beckley, WV 25801/304-256-1640/ L. A. Gates / 12**

8. NAMES OF PRINCIPAL OFFICERS OR MEMBERS OF FIRM  
**L. A. Gates P.E., President, 304-256-1640 ext.101**

8a. NAME, TITLE, & TELEPHONE NUMBER - OTHER PRINCIPALS  
**Jay Cantley, P.E., Executive Vice President, 304-256-1640 ext.107**

9. PERSONNEL BY DISCIPLINE

2 ADMINISTRATIVE ARCHITECTS	3 LANDSCAPE ARCHITECTS	3 STRUCTURAL ENGINEERS
2 BIOLOGIST	3 MECHANICAL ENGINEERS	2 SURVEYORS
2 CADD OPERATORS	3 MINING ENGINEERS	TRAFFIC ENGINEERS
CHEMICAL ENGINEERS	PHOTOGRAMMETRISTS	
3 CIVIL ENGINEERS	PLANNERS: URBAN/REGIONAL	
CONSTRUCTION INSPECTORS	SANITARY ENGINEERS	* Employees also perform these services.
CADD DESIGNERS	SOILS ENGINEERS	19 TOTAL PERSONNEL
	SPECIFICATION WRITERS	

TOTAL NUMBER OF WV REGISTERED PROFESSIONAL ENGINEERS IN PRIMARY OFFICE: **7**

RPEs other than Civil and Mining must provide supporting documentation that qualifies them to supervise and perform this type of work.

10. HAS THIS JOINT VENTURE WORKED TOGETHER BEFORE?  YES  NO  N/A

11. OUTSIDE KEY CONSULTANTS/SUB-CONSULTANTS ANTICIPATED TO BE USED. Attach "AML Consultant Confidential Qualification Questionnaire".

NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No

12. A. Is your firm experienced in Abandoned Mine Land Remediation/Mine Reclamation Engineering?

YES Description and Number of Projects:

NO See Attached Sheet

B. Is your firm experienced in Soil Analysis?

Yes Description and Number of Projects:

No See Attached Sheet

C. Is your firm experienced in hydrology and hydraulics?

YES Description and Number of Projects: See Attached Sheet

NO

D. Does your firm produce its own Aerial Photography and Develop Contour Mapping?

YES Description and Number of Projects: See Attached Sheet

NO

E. Is your firm experienced in domestic waterline design? (Include any experience your firm has in Evaluation of aquifer degradation as a result of mining.)

YES Description and Number of Projects: See Attached Sheet

NO

F. Is your firm experienced in Acid Mine Drainage Evaluation and Abatement Design?

YES

NO



13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)		YEARS OF EXPERIENCE	
YEARS OF AML DESIGN EXPERIENCE:	2	YEARS OF AML RELATED DESIGN EXPERIENCE:	20
YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:		5	
<p><b>Gates, Leslie A., P. E., President</b></p> <p>Brief Explanation of Responsibilities</p> <p>As president, L.A. Gates is responsible for overseeing all activities related to the company.</p> <p>EDUCATION (Degree, Year, Specialization)                      B.S., 1978, Mining Engineering                      B.S., 1972, Business Administration</p> <p>MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS                      National Society of Professional Engineers (NSPE)                      American Inst. of Mining, Metallurgical, Petroleum Engineers (AIME)</p>			
<p>13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)</p>			
NAME & TITLE (Last, First, Middle Int.)		YEARS OF EXPERIENCE	
YEARS OF AML DESIGN EXPERIENCE:	0	YEARS OF AML RELATED DESIGN EXPERIENCE:	10
YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:		10	
<p><b>Cantley, Jerry W. P. E., P. S. Executive Vice President</b></p> <p>Brief Explanation of Responsibilities</p> <p>Mr. Cantley will serve as project contract administrator. He will be responsible for overall management and performance of the project. He will review work, visit site with Mr. Murphy and guide the preparation of the Scope of Work.</p> <p>EDUCATION (Degree, Year, Specialization)                      B.S., 1987, Civil Engineering</p> <p>MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS                      American Society of Civil Engineers</p>			
<p>REGISTRATION (Type, Year, State)                      P.E., 1994, WV P.E., 2003, VA                      P.S., 1995, WV</p>			

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data that keep to essentials)

NAME & TITLE (Last, First, Middle Int.)

**Murphy, Patrick M., P.E.**  
**Vice President - Environmental Engineering**

YEARS OF EXPERIENCE

YEARS OF AML DESIGN EXPERIENCE:

1

YEARS OF AML RELATED DESIGN EXPERIENCE:

12

YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 0

Brief Explanation of Responsibilities

Mr. Murphy will be responsible for managing day-to-day project activities and management of the Gates' staff. Specific duties will include ensuring project activities are completed on-time, with-in budget and within specification, provide engineering oversight, providing signature and certification of project documents. He will serve as liaison between L.A. Gates and the WVAML personnel.

EDUCATION (Degree, Year, Specialization)  
 B.S., 1997, Civil Engineering Technology  
 M.S., 2003, Environmental Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)  
 P.E., 2004, WV  
 P.E., 2009, PA

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data that keep to essentials)

NAME & TITLE (Last, First, Middle Int.)

**Capelli, Steve G., P.E.**  
**President - Gates Consultants**  
**Associate - L.A. Gates Company**

YEARS OF EXPERIENCE

YEARS OF AML DESIGN EXPERIENCE:

0

YEARS OF AML RELATED DESIGN EXPERIENCE:

18

YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 0

Brief Explanation of Responsibilities

Mr. Capelli will serve as technical advisor for mining related activities as needed.

EDUCATION (Degree, Year, Specialization)  
 B.S., 1973, Mining Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)  
 P.E., 1975, WV

Society of Mining Engineers

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF AML DESIGN EXPERIENCE: <b>5</b>	YEARS OF AML RELATED DESIGN EXPERIENCE: <b>32</b>	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: <b>0</b>
<p><b>Coleman, Tim</b> <b>Vice President - Mining Engineering</b></p> <p>Brief Explanation of Responsibilities</p>			
<p>Mr. Coleman will provide mining engineering supervision and design.</p>			
<p>EDUCATION (Degree, Year, Specialization) B.S., 1979, Mining Engineering</p>			
<p>MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS Society of Mining Engineers American Institute of Mining Engineers</p>			
<p>13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)</p>		<p>REGISTRATION (Type, Year, State) N/A</p>	
NAME & TITLE (Last, First, Middle Int.)	YEARS OF AML DESIGN EXPERIENCE: <b>0</b>	YEARS OF AML RELATED DESIGN EXPERIENCE: <b>19</b>	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: <b>0</b>
<p><b>Mills, Joe F., P.E.</b> <b>Structural Engineer</b></p> <p>Brief Explanation of Responsibilities</p>			
<p>Mr. Mills will be responsible for providing civil/structural engineering oversight as required.</p>			
<p>EDUCATION (Degree, Year, Specialization) B.S., 1990, Civil Engineering, Virginia Polytechnic Institute and State University M.S., 1993, Civil Engineering, Virginia Polytechnic Institute and State University</p>			
<p>MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS REGISTRATION (Type, Year, State) P.E., 1997, WV</p>			

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	<p><b>McClure, Amelia, P.E.</b> <b>Civil/Structural Engineer</b></p>	YEARS OF AML DESIGN EXPERIENCE: <b>0</b>	YEARS OF AML RELATED DESIGN EXPERIENCE: <b>11</b>	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: <b>0</b>
Brief Explanation of Responsibilities				
Ms. McClure will be responsible for providing civil/structural engineering oversight as required.				
EDUCATION (Degree, Year, Specialization) B.S., 1998, Civil Engineering, West Virginia Institute of Technology M.S., 2002, Engineering, Marshall University Graduate School				
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS West Virginians for Better Transportation Greater Greenbrier Chamber of Commerce				
13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)				
NAME & TITLE (Last, First, Middle Int.)	<p><b>Bair, Brian, P.E.</b> <b>Civil/Structural Engineer</b></p>	YEARS OF AML DESIGN EXPERIENCE: <b>0</b>	YEARS OF AML RELATED DESIGN EXPERIENCE: <b>11</b>	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: <b>0</b>
Brief Explanation of Responsibilities				
Mr Bair will be responsible for providing civil/structural engineering oversight as required.				
EDUCATION (Degree, Year, Specialization) B.S., 1997, Civil Engineering, West Virginia Institute of Technology				
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS REGISTRATION (Type, Year, State) <b>P.E., 2002, WV</b>				

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)		YEARS OF EXPERIENCE	
Lilly, Angelia, E.I.T. Staff Engineer		YEARS OF AML DESIGN EXPERIENCE: 0	YEARS OF AML RELATED DESIGN EXPERIENCE: 5
Brief Explanation of Responsibilities			

Mrs. Lilly will be responsible for preparing engineering calculations related to hydrology, sediment and erosion control structures and haulage roads.

EDUCATION (Degree, Year, Specialization)  
 B.S. Civil Engineering Technology  
 B.S. Architectural Engineering Technology

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS  
 REGISTRATION (Type, Year, State)  
 E.I.T., 2009, WV

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)		YEARS OF EXPERIENCE	
		YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:
Brief Explanation of Responsibilities			

EDUCATION (Degree, Year, Specialization)

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS  
 REGISTRATION (Type, Year, State)

14. PROVIDE A LIST OF SOFTWARE AND EQUIPMENT AVAILABLE IN THE PRIMARY OFFICE WHICH WILL BE USED TO COMPLETE THE DESIGN SERVICE

Carlson 2007 and 2008 (All Modules)
Autodesk - AutoCAD 2007, 2008, 2009, 2010
SEDCAD 4: Hydrology Software
REAME: Slope Stability
Eagle Point 2007 Civil Design Software
HEC-RAS: Open Channel Flow Software by the USCOE
HY-22: Highway and Urban Drainage Design Software
SurvCADD
Microsoft Office: Word, Power Point, and Excel
TOPCON Total Station Transit with TDS Husky FS/2 Data Collector
LEICA GPS System 200
TOPCON AT-G2A Auto Level
HP DESKJET 3100, 1050C plotters, 5550n, 9050n printers
MR SID (911 Aerial Imaging/Mapping Software)
DAMBRK: Flood Routing and Dam Safety Analysis Software
Maptech Terrain Navigator
Various Dell Laptop and Stationary Computers and Servers

15. CUF OF ACTIVITIES ON WHICH YOUR FIRM IS THE DESIGNATE ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	NATURE OF YOUR FIRM'S RESPONSIBILITY	ESTIMATED CONSTRUCTION COST	PERCENT COMPLETE
Sewell No. 1 Mine Deep Mine Facility Curfin, WV	Spring Creek Energy 806 Main Street Summersville, WV	Engineering and Permitting services for deep mine facility, NPDES & 401 permits	\$103,000 (FEE)	80
Tioga Refuse Facility Remining Permit Tioga, WV	WVCR, LLC 920 South Eisenhower Drive Beckley, WV	Engineering and Permitting services for remining of coarse refuse facility, NPDES and 401 permits	\$55,000 (FEE)	50
Dingess No. 2 Gas Deep Mine Deep Mine Facility Buffalo Creek, WV	INR, WV Main Street Man, WV	Engineering and Permitting services for deep mine facility, NPDES & 401 permits	\$120,000 (FEE)	20
East Beckley Bypass Beckley, WV	WVDOH-DOH 1900 Kanawha Boulevard Charleston, WV 25305	Engineering design and surveying for 3.7 miles of five lane highway and a 1,200' long bridge	\$40,000,000	99
Mill Creek Bridge Raleigh County, WV	WVDOH-DOH 1900 Kanawha Boulevard Charleston, WV 25305	Engineering design and surveying for 330' bridge replacement over Mill Creek	\$2,600,000	97
Bradshaw Bridge Replacement Bradshaw, WV	WVDOH-DOH 1900 Kanawha Boulevard Charleston, WV 25305	Engineering design of a 90' bridge replacement over Bradshaw Creek	\$1,500,000	90
South Mineral Wells Interchange Extension	WVDOH-DOH 1900 Kanawha Boulevard Charleston, WV 25305	Engineering design of a 400' bridge over Tygart Creek.	\$9,300,000	99
Bramwell Bridge	WVDOH-DOH 1900 Kanawha Boulevard Charleston, WV 25305	Engineering design of a 440' bridge over Bluestone River.	\$2,000,000	0







17. C. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD		ESTIMATED CONSTRUCTION COST	YEAR	CONSTRUCTED (YES OR NO)
PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER			
Longbottom Contour Mine Contour/Highwall Mine Sharon, WV	Magnum Coal Company Charleston, WV	\$97,000 (Permitting Fee)	2007	NA
Midland Trail Surface Mine Surface Mine Anjean, WV	Midland Trail Resources P.O. Box 0 Rupert, WV	\$95,000 (Permitting Fee)	2007	NA
Spring Creek Haulroad Engineering Design Curtin, WV	Spring Creek Energy Summersville, WV	\$7,892 (Permitting Fee)	2007	NA
Winifrede X-1 Deep Mine Regrade/Drainage Revision Drennen, WV	Alex Energy, Inc. Summersville, WV	\$10,000 (Permitting Fee)	2007	NA
Midland Mine No. 2 Subsidence Control/Drainage Drennen, WV	Midland Trail Resources Rupert, WV	\$10,000 (Permitting Fee)	2007	NA
Dents Run Impoundment Impoundment Abandonment Mannington, WV	Consol Monongah, WV	\$40,000 (Permitting Fee)	2007	NA
Cowen Loadout Facility Coal Loadout Cowen, WV	Atlantic Leaseco Summersville, WV	\$20,000 (Permitting Fee)	2007	NA
Jones Branch Loadout Regrade/Drainage Revision Drennen, WV	Power Mountain Coal Summersville, WV	\$8,000 (Permitting Fee)	2008	NA


17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST	YEAR	CONSTRUCTED (YES OR NO)
Hardway Branch Surface Mine Regrade/Drainage Revision Drennen, WV	Alex Energy, Inc Summersville, WV	\$20,000 (Permitting Fee)	2009	NA
Right Fork Surface Mine Regrade/Drainage Revision Drennen, WV	Alex Energy, Inc Summersville, WV	\$25,000 (Permitting Fee)	2009	NA
Peerless No. 1 Mine Subsidence Revision Dixie, WV	Alex Energy, Inc Summersville, WV	\$20,000 (Permitting Fee)	2009	NA
Peachorchard Surface Mine Contour/Highwall Mine Drennen, WV	Nicholas Energy, Inc Summersville, WV	\$50,000 (Permitting Fee)	2009	NA

18. C OLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIF 'AS BEEN A SUB-CONSULTANT TO OTHER FIRMS (INDICA' PHASE WORK FOR WHICH YOUR FIRM WAS RESPONSIBLE) NA	PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST OF YOUR FIRM'S PORTION	YEAR	CONSTRUCTED (YES OR NO)	FIRM ASSOCIATED WITH

19. Use this space to provide any additional information or description of resources supporting your firm's qualifications to perform work for the West Virginia Abandoned Mine Lands Program. LA Gates Company staff has a wide variety of professional experience from both engineering and from an operations perspective. Projects completed include mine designs, road designs, drainage and sediment control structure designs, reclamation design, bridge design, and highway design. Gates is capable of performing any assignment associated with mining and reclamation.

20. The foregoing is a statement of facts.

Signature:   
Printed Name: **Patrick M. Murphy, P.E.**  
Title: VP - Environmental Engineering  
Date: 11/03/09



**AML Consultant Confidential Qualification  
Questionnaire**

**Items No. 12A thru 12D Supplemental  
Information**



**AML Consultant Confidential Qualification Questionnaire – Item 12 A Supplement  
AML Experience**

L.A. Gates Company has not performed any Remediation/Mine Reclamation Engineering through the Abandoned Mine Lands Office. Select Gates' personnel have, however, performed AML work while with another consultant. Patrick Murphy and Patricia McCormick performed engineering and permitting functions for and AML agreement for the Buck Lilly Surface Mine, Greenbrier County. This project consisted of the design of mining activities and drainage control as such to segregate acid mine and fresh water drainage. The project was designed effort to obtain an Article 3 and NPDES permit to mine the site as well as to satisfy AML requirements during and post mining.



**AML Consultant Confidential Qualification Questionnaire – Item 12 B Supplement  
Soil Analysis Experience (to include Geotechnical)**

**Soil Analysis**

L.A. Gates Company has not performed any soil analysis; however, select personnel have performed such duties while employed with others. Patrick Murphy performed detailed soil analysis and testing while working on a Corps of Engineers research project studying the effects of woody vegetation in levees. A partial list of experience obtained during this research included: grain size analysis using both sieve and hydrometer methods; classification utilizing unified and AASHTO systems; Atterberg Limits, specific gravity and hydraulic conductivity (falling head method). Mr. Murphy is also experienced in field testing of soils for construction projects and is certified for use of

**Geotechnical**

Peachorchard Surface Mine. Performed corehole analysis, cut and fill designs and regrade stability analysis for a approximately six miles of contour surface mine bench with highwall mining activities.

Sewell No. 1 Deep Mine. Performed corehole analysis, cut and fill designs, subsidence evaluation and regrade stability analysis for a deep mine face-up, side hill fill and haulroad.

Tioga Refuse Facility. Performed corehole analysis, excavation cut sequence design and stability analysis for the removal of the Tioga Refuse Facility, Nicholas County, WV.

Dingess No. 2 Gas Deep Mine. Performed corehole analysis, cut and fill designs and regrade stability analysis for deep mine box cut in a streambed, side hill fill and haulroad.

Longbottom Contour Mine. Performed corehole analysis, cut and fill designs and regrade stability analysis for a approximately 4000 feet of contour surface mine with highwall mining activities. Performed valley fill design and stability analysis for one fill.

Midland Trail Surface Mine. Performed corehole analysis, cut and fill designs and regrade stability for a surface mine and combination contour/highwall mine with approximately 3000 feet of contour bench.

Dents Run Impoundment. Performed cut and fill designs and regrade stability analysis for the abandonment of the Dents Run Impoundment located in Marion County, WV.

Empire Coalburg Deep Mine. Performed cut, fill and regrade designs, subsidence evaluation, and regrade stability analysis for the construction of a deep mine faceup with associated haulroads and drainage structures.

Hardway Branch Surface Mine Regrade Revision. Performed cut and fill designs for construction of one valley fill. Performed slope stability analysis on existing slopes.

Midland Trail Surface Mine Amendment. Performed cut and fill designs to add additional surface and contour mining to the approved Midland Trail Surface Mine permit. Performed slope stability analysis on designed regrade slopes.



Tate Run Surface Mine Regrade/Drainage Revision. Performed stability analysis on existing slopes.

Right Fork Surface Mine Regrade/Drainage Revision. Performed stability analysis on existing slopes.

Skitter # 1 Surface Mine Revision. Redesigned existing valley fill to accommodate approximately 3 million additional yards of spoil material. Performed slope stability analysis on redesigned fill.





## AML Consultant Confidential Qualification Questionnaire – Item 12 C Supplement Hydrology and Hydraulics

L.A. Gates Company has performed hydrology and hydrologic analysis and design on all engineering designs associated with permitting, mining and highway projects. Listed below are a select few of these projects.

Sewell No. 1 Deep Mine. Performed hydrologic analysis of the watershed in order to determine peak flows. Utilized analysis data in the design of one pond, one sediment ditch, diversion ditches, underdrains, and culverts. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions. This SWROA modeled in the entire Gauley River watershed upstream of the proposed Sewell No. 1 Deep Mine.

Tioga Refuse Facility. Performed hydrologic analysis of the project watershed to determine peak flows for analysis and redesign of existing sediment and erosion control structures. Used analysis data to evaluate existing spillways and the ultimate redesign of the structures to accommodate a 100 year storm event. Performed hydrologic analysis of each phase of removal of the refuse area and designed drainage control (diversions) for each phase. The entire project consisted of the redesign of four ponds, separate drainage designs for twenty phases of the project and numerous culvert designs for existing haulroads. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions.

Dingess No. 2 Gas Deep Mine. Performed hydrologic analysis of the project watershed to determine peak flows for design of one pond, diversion ditches, culverts and a stream location. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions. This SWROA modeled in Dingess Creek watershed upstream of the proposed site.

Longbottom Contour Mine. Performed hydrologic analysis of the project watershed to determine peak flows for design of one pond, sediment ditches, diversion ditches and regrade and valley fill underdrains. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions. Determined maximum head and maximum anticipated discharges from underground mining to design wet seals for the reclamation of the highwall miner entries.

Midland Trail Surface Mine. Performed hydrologic analysis of the project watershed to determine peak flows for design of two ponds, sediment ditches, diversion ditches and regrade and valley fill underdrains. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions. bench.

Dents Run Impoundment. Performed hydrologic analysis of the project watershed to determine peak flows for design of diversion ditches and underdrains.

Empire Coalburg Deep Mine. Performed hydrologic analysis of the project watershed to determine peak flows for design of sediment ditches, diversion ditches and regrade and underdrains. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions. Determined maximum head and maximum anticipated discharges from underground mining to design wet seals for the reclamation of the faceup.



Hardway Branch Surface Mine Regrade Revision. Utilizing surveyed data, analyzed existing drainage structures to determine if they were constructed properly. Determined peak flows for the structures and redesigned as necessary to carry the required storm event flows.

Midland Trail Surface Mine Amendment. Performed cut and fill designs to add additional surface and contour mining to the approved Midland Trail Surface Mine permit. Performed slope stability analysis on designed regrade slopes.

Tate Run Surface Mine Regrade/Drainage Revision. Utilizing surveyed data, analyzed existing drainage structures to determine if they were constructed properly. Determined peak flows for the structures and redesigned as necessary to carry the required storm event flows.

Right Fork Surface Mine Regrade/Drainage Revision. Utilizing surveyed data, analyzed existing drainage structures to determine if they were constructed properly. Determined peak flows for the structures and redesigned as necessary to carry the required storm event flows.

Skitter # 1 Surface Mine Revision. Performed hydrologic analysis of the project watershed to determine peak flows. Redesigned sediment control, diversion and groin ditches along the redesigned valley fill. Performed surface water runoff analysis (SWROA) to determine the peak runoff discharges during pre-, during and post-mining conditions. Analyzed existing ponds with surveyed field data to determine if the spillways would carry the anticipated flows from the redesigned valley fill.

East Beckley Bypass. Performed the storm drainage system design for the 3.7 mile urban five lane highway. The project includes the design of over 28,000 lf of pipe, over 300 inlets, and over 10,000 lf of roadside ditches and channels and ten erosion control sediment basins.

Coalfields Expressway – Performed the storm drainage system design for five miles of the four lane highway. The project includes the design of over 20,500 lf of pipe ranging in size from 18 inches to 96 inch structural plate pipe, over 100 inlets and wingwalls and 39 erosion control basins.



**AML Consultant Confidential Qualification Questionnaire – Item 12 D Supplement  
Aerial Photography and Contour Mapping**

L.A. Gates Company has developed contour mapping on most all mining projects that it has performed. Contour mapping has been developed from aerial photography, surveying data and corehole data. A list of projects where contour mapping has been developed include:

**Mining**

- Tioga Refuse Re-Mining Permit, , Nicholas County, WV
- Republic Deep Mine, Kanawha County, WV
- Dingess No. 2 Deep Mine, Logan County, WV
- Long Branch Reserve Analysis, Fayette County, WV
- Longbottom Contour Mine, Kanawha County, WV
- Cowen Loadout Facility, Webster County, WV
- Midland Trail Surface Mine No. 1, Greenbrier County, WV
- Midland Trail Surface Mine No. 1 Amendment, Greenbrier County, WV
- Fourmile Surface Mine No. 2, , Kanawha County, WV
- Right Fork Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Hardway Branch Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Paynter Branch South Surface Mine, Wyoming County, WV

**Bridge Projects**

- *South Mineral Wells Interchange, Wood County, WV*
- *Bradshaw Bridge, McDowell County, WV*
- *Mill Creek Bridge, Fayette County, WV*
- *Clear Fork Arch No 1, Wyoming County, WV*
- *Huff Creek Bridge, Wyoming County, WV*
- *Petry Bottom Bridge, Raleigh County, WV*
- *Bruno Bridge, Logan County, WV*
- *Grafton HS Arch Bridge, Taylor County, WV*
- *Main Street Bridge Replacement, Wetzel County, WV*
- *Greenbrier Avenue Bridge, Greenbrier County, WV*
- *Shepherd Bridge, Marshall County, WV*
- *Cranberry Creek Bridge, Beckley By-Pass Project, Raleigh County, WV*
- *Russellville Bridge Replacement, Greenbrier County, WV*
- *Airport Bridge Replacement, Greenbrier County, WV*
- *Muddy Creek Bridge Replacement, Greenbrier County, WV*
- *Stollings-Logan Road Bridges, Logan County, WV*
- *Clearfork Coatings Bridge, Wyoming County, WV*
- *Camden on Gauley Truss Bridge Replacement, Webster County, WV*
- *Switzer Monty Brothers Bridge Replacement, Logan County, WV*
- *Roach Truss Bridge Replacement, Cabell County, WV*
- *Stringtown Bridge, Hampshire County, WV*
- *Mill Road Bridge, Hardy County, WV*
- *Gragston Creek Road Bridge, Wayne County, WV*
- *Mt. Gay Overpass Renovation, Logan County, WV*
- *William S. Ritchie Bridge Renovation, Jackson County, WV*
- *Steinbeck Bridge Replacement, Roane County, WV*
- *Diana Bridge Replacement, Webster County, WV*
- *Little Hurricane Creek Bridge #1813, Putnam County, WV*



- *James Branch Bridge # 4003, Boone County, WV*
- *Cazy Bridge, #4404, Boone County, WV*
- *Rock Lick Bridge, Boone County, WV*
- *Kenna I/C Bridge, Jackson County, WV*
- *CR 21/28 Overpass Bridge, Jackson County, WV*
- *Grasslick Run Bridge, Jackson County, WV*
- *B & O Railroad Underpass Bridge # 3932, Barbour County, WV*
- *Boulder Truss Bridge # 3333, Barbour County, WV*

**Roadway Projects**

- *Allen Creek – Big Ridge (Coalfields Expressway) , Raleigh County, WV*
- *East Beckley Bypass, Raleigh County, WV*
- *Slab Fork – Surveyor Creek (Coalfields Expressway) , Raleigh County, WV*
- *Stollings-Logan Road, Logan County, WV*
- *White Sulphur Springs Interchange, Greenbrier County, WV*
- *Hurricane Creek Road + 1, Putnam County, WV*
- *Kanawha Street Improvements, Raleigh County, WV*
- *Locust Drive, Mercer County, WV*
- *Stafford Drive, Mercer County, WV*
- *Marlinton-Snowshoe Road, Pocahontas County, WV*

**Design Studies**

- *Clarksburg-Grafton Road, Harrison-Taylor Counties, WV*
- *Sutton-Webster Springs Road, Braxton-Webster Counties, WV*
- *WV 10, Man to Logan, Logan County, WV*



**AML Consultant Confidential Qualification Questionnaire – Item 12 E Supplement  
Domestic Waterline Design**

Domestic waterline design was one of the major functions of L.A. Gates Company until September 2000. Up to that time, Gates' was instrumental in the design of numerous waterline projects to include:

- *Water System Improvements for Pocahontas County High School, Pocahontas County, WV*
- *Flat top Lake Water System*
- *Brooks Run Mining Company Carpenters Fork Waterline Extension*
- *Glade Springs, The Farms Waterline Extension*
- *Georgia Pacific OSB Plant Water and Sewer Line Extensions*



**AML Consultant Confidential Qualification  
Questionnaire**

**Item No. 13 Supplemental  
Personnel Qualifications**



**L.A. Gates, P.E. – President – L.A. Gates Company**

**Education**

B.S., Mining Engineering, Colorado School of Mines

B.S., Marketing, West Virginia University

**Registration/Licenses**

Registered Professional Engineer, WV # 9568

Registered Professional Engineer, CO

**Summary of Experience**

L.A. Gates is the President of L.A. Gates Company, an engineering firm established for the purpose of providing professional engineering services of the highest ethical caliber to the local and State community. As President, L.A. is responsible for the oversight of all management and engineering of Gates' projects which involve the mining and civil industry, government and commercial clients.

L.A. has over 35 years experience in the mining industry to include: mine design and planning for underground and surface mines, design of roads, diversion ditches, settling ponds, erosion control, reclamation, impoundments and other surface facilities; reserve studies, feasibility studies, economic analysis and litigation.

**Memberships**

Society of Mining Engineers of AIME

National Society of Professional Engineers

King Coal Club



## **Jerry (Jay) Cantley, P.E., P.S. – Executive Vice President**

### **Education**

B.S. Civil Engineering, 1987, West Virginia Institute of Technology

### **Registration/Licenses**

Professional Engineer - West Virginia # 12188

Professional Engineer – Virginia # 38119

Professional Land Surveyor – West Virginia #1477

### **Summary of Experience**

Jay has over 21 years of experience on a wide variety of civil engineering projects. His projects include work on transportation, water and sewer, site development and environmental projects. He has worked for L.A. Gates Company for the past 17 years starting as an EIT in 1991. Recently, Jay has been promoted to Executive Vice President and is principal in charge of all Engineering Design. Jay oversees and manages all work done at L.A. Gates Company. In Jay's 20 years of experience he has designed and/or overseen more than 40 roadway and bridge projects, 20 water and sewer projects and 50 civil/site projects. Jay currently directs a staff of 20 engineers, technicians, inspectors and surveyors, who design and prepare plans for projects involving bridges, highways, mining engineering and mine permitting.

### **Representative Projects**

#### **Highway**

- *Allen Creek – Big Ridge (Coalfields Expressway) , Raleigh County, WV*
- *East Beckley Bypass, Raleigh County, WV*
- *Slab Fork – Surveyor Creek (Coalfields Expressway), Raleigh County, WV*
- *Stollings-Logan Road, Logan County, WV*
- *White Sulphur Springs Interchange, Greenbrier County, WV*
- *Hurricane Creek Road + 1, Putnam County, WV*
- *Kanawha Street Improvements, Raleigh County, WV*

#### **Waster and Sewer Design**

- *SSPSD Cool Ridge/Flat Top WWTP Improvements*
- *Water System Improvements for Pocahontas County High School, Pocahontas County, WV*
- *SSPSD Ward Park Sewer Line Improvements*
- *SSPSD Mont Phillips Road Extension*
- *SSPSD Lamplighter Road Extension*
- *SSPSD Sky Line Drive Extension*
- *Georgia Pacific OSB Plant Water and Sewer Line Extensions*
- *Treatment Plant for Twin Falls State Park, Wyoming County, WV*
- *Treatment Plant for Pipestem State Park, Mercer County, WV*
- *Treatment Plant and Collection System for Babcock State Park, Fayette County, WV*
- *Treatment Plant and Collection System for Watoga State Park, Pocahontas County, WV*
- *Treatment Plant and Collection System for Bluestone State Park, Summers County, WV*

#### **Site Development**

- *Somar Telecommunications, Raleigh County, WV*
- *CWV Residence Halls, Raleigh County, WV*
- *Springwood Subdivision Roanoke County, Virginia*
- *Limestone Woods Subdivision Greenbrier County, WV*
- *Anthony Woods Subdivision Greenbrier County, WV*





## **Steve Capelli, P.E. – President – Gates Consultants**

### **Education**

B.S., Mining Engineering, Virginia Tech

### **Registration/Licenses**

Registered Professional Engineer, WV # 7672

### **Summary of Experience**

Mr. Capelli will serve in a Quality Control/Quality Assurance role with this project. Mr Capelli has over 36 years experience in the coal industry with expertise in coal processing, land management and engineering consulting. Mr. Capelli has served in a management capacity for numerous coal companies and had the overall responsibility for all operations functions. Steve is well experience in all facets of mining operations to include: deep/surface mining; loadout facilities; preparation plants and refuse sites. Steve is also well experienced in contract negotiations, financial planning and analysis; mine planning and acquisitions.

### **Key Representative Projects**

- Managed all coal operations for a major operator in WV and KY with over 500 employess, five underground mines, two surface mines, three preparation plants, two river docks and a rail loadout facility.
- Manage a land holding company administering 20 active coal operations.
- Evaluated numerous coal properties for acquisition.
- Negotiated the sale of a two major coal companies in WV.
- Planned, designed, permitted, developed and operated six underground mines, three surface mines, a preparation plant, a loadout facility and a refuse site for a major WV coal company.



## **Patrick M. Murphy, P.E. – Vice President of Environmental Engineering**

### **Education**

B.S. Civil Engineering Technology, 1997, Fairmont State College

M.S. Engineering, 2003, Marshall University Graduate School

### **Registration/Licenses**

Professional Engineer - West Virginia # 16001

Professional Engineer – Pennsylvania # PE076735

### **Summary of Experience**

Mr. Murphy is responsible for managing all aspects of the L.A. Gates Company permitting department. Patrick has diverse experience in environmental design and permitting; water/wastewater regulatory enforcement and design and construction management.

Mr. Murphy has served as Project Manager/Engineer on numerous mining projects while at L.A. Gates Company and while employed by other consulting companies. Mr. Murphy has extensive experience in site development, road design, earthen dam design, valley fill designs/analysis, hydrologic design and analysis, geotechnical design and analysis and reclamation.

### **Representative Projects**

#### **Geotechnical/Hydrologic-Hydraulic/Reclamation Design**

- Tioga Refuse Re-Mining Permit, , Nicholas County, WV
- Republic Deep Mine, Kanawha County, WV
- Dingess No. 2 Deep Mine, Logan County, WV
- Long Branch Reserve Analysis, Fayette County, WV
- Longbottom Contour Mine, Kanawha County, WV
- Cowen Loadout Facility, Webster County, WV
- Midland Trail Surface Mine No. 1, Greenbrier County, WV
- Midland Trail Surface Mine No. 1 Amendment, Greenbrier County, WV
- Dents Run Impoundment Abandonment Plan, , Marion County, WV
- Fourmile Surface Mine No. 2, , Kanawha County, WV
- Tate Run Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Right Fork Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Hardway Branch Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Paynter Branch South Surface Mine, Wyoming County, WV
- Skitter # 1 Surface Mine Regrade/Drainage/Subsidence Revision, Fayette County, WV
- Jones Branch Loadout Drainage Revision, Nicholas County, WV



## **Tim Coleman – Vice President of Mining**

### **Education**

B.S., Mining Engineering, West Virginia University

### **Summary of Experience**

Tim has more than 32 years of experience in surface and underground mining of coal, aggregates, and consulting. As Vice President of Mining, Tim is responsible for development and management of engineering projects for the L.A. Gates Company. Specific responsibilities include: underground mine design and planning, mine ventilation, operations management, operations analysis, environmental compliance, and project management. Other key positions held include: Ventilation Engineer, Senior Mine Engineer, CM Production Foreman, LW Foreman, Shift Supervisor, Technical Services Engineer, Project Engineer, Manager of EMS-ISO 14001 Programs, Manager of Development and Environmental Compliance, General Manager, and VP of Engineering.

Experience outside of the coal industry includes: president of a sand mining company, GM of a trucking company, and president of an alternative energy company. Tim has also consulted on several international projects performing due diligence, operational and geological evaluations, and mine design.

Tim's project management experience includes: construction of mine ventilation air shafts, an emergency escape facility, ventilation fan installation and commissioning, high voltage power lines and substations, mine face ups, valley fill construction, reclamation, sediment and drainage control structures, pre-stripping, road and bridge construction, and a coal blending / load out facility.



## **Gary Keaton, P.E. – Civil Engineer**

### **Education**

B.S. Civil Engineering, 1993, West Virginia Institute of Technology

### **Registration/Licenses**

Professional Engineer - West Virginia # 13751

Professional Engineer – Pennsylvania

Professional Engineer – Virginia

### **Memberships**

Association for the Advancement of Cost Engineering

American Society of Civil Engineers

American Concrete Institute

### **Summary of Experience**

Mr. Keaton will provide civil engineering design for this project. Mr. Keaton has over 16 years engineering and project management experience in highways and the gas/oil industry. Mr. Keaton's experience includes extensive field work in monitoring construction of highways and gas/oil related structures. Mr. Keaton is also well experienced in cost estimating, risk analysis and quality assurance.



## **Edward A Rehbein, P.G. – Senior Geologist**

### **Education**

B.S., Geology, California Institute of Technology

M.S., Interdisciplinary Studies, Mountain State University

Graduate Coursework in Geology and Geophysics (20 hours) University of California

### **Registration/Licenses**

Registered Professional Geologist

### **Memberships**

American Association of Petroleum Geologists

### **Summary of Experience**

Mr. Rehbein currently serves as Senior Geologist for Gates Consultants. Mr. Rehbein will provide geologic expertise for this project. Ed has over 37 years of experience in geologic consulting in the coal and gas industry. Ed has broad experience in coalbed exploration and assessment throughout the North American coal industry. Ed has significant experience in field research and data gathering and compilation, groundwater flow modeling and coalbed and natural gas reserve evaluations.



## **Brian M. Bair, P.E. - Structural Engineer**

### **Education**

B.S. Civil Engineering, 1997, West Virginia Institute of Technology

### **Registration/Licenses**

Professional Engineer - West Virginia # 15169

Professional Engineer – Virginia

### **Summary of Experience**

Brian is the lead Structural Engineer at L.A. Gates Company having worked on 18 Highway Department bridge projects. Brian is experienced in bridge hydraulics, foundation and abutment design, pile and caisson design, retaining walls, concrete and steel beam design, and steel curved girder design. He is proficient with AutoCAD, LEAP Conspan, HEC-RAS hydraulic software, MDX Steel Bridge Rating software, COM624P and L Pile Piling and Caisson design software, Microsoft Word and Microsoft Excel.

### **Representative Projects**

#### **Buildings**

- *South Mineral Wells Interchange, Wood County, WV*
- *Clear Fork Arch No. 1 Bridge, Wyoming County*
- *Petry Bottom Bridge, Raleigh County, WV*
- *Huff Creek Bridge, Wyoming County, WV*
- *Bruno Bridge Replacement, Logan County, WV*
- *Main Street Bridge Replacement, Wetzel County, WV*
- *Petry Bottom Bridge, Raleigh County, WV*
- *Huff Creek Bridge, Wyoming County, WV*
- *Bruno Bridge Replacement, Logan County, WV*
- *Main Street Bridge Replacement, Wetzel County, WV*
- *Shepherd Bridge Replacement, Marshall County, WV*
- *Grafton High School Arch Bridge, Taylor County, WV*
- *US 220 Ramp Connector Bridge, Hardy County, WV*
- *Greenbrier Avenue Bridge, Greenbrier County, WV*
- *Russellville Bridge Replacement, Greenbrier County, WV*
- *Kenna Bridge Rehabilitation, Jackson County, WV*
- *Switzer Monty Brothers Bridge, Logan County, WV*
- *WV Route 17 Connector Bridge No. 2, Logan County, WV*

### **Hydraulic Analysis & Permits**

- *Causeway Analysis for:*
  - *Guyandotte River Bridge*
  - *WV Route 17 Connector Bridge No. 2*
  - *Russellville Bridge*
  - *Bruno Bridge*
  - *Main Street Bridge*
- *Cofferdam Analysis for:*
  - *Switzer Bridge*
  - *Bruno Bridge*



## Joe F. Mills, P.E. - Structural Engineer

### Education

B.S. Civil Engineering, 1990, Virginia Polytechnic Institute and State University  
M.S. Civil Engineering, 1993, Virginia Polytechnic Institute and State University

### Registration/Licenses

Professional Engineer - West Virginia # 13447

### Summary of Experience

Joe's background includes bridge design, building design, structural engineering research and real estate valuation. He is a registered professional engineer, licensed residential real estate appraiser and licensed Realtor.

Joe's bridge design experience includes steel and concrete bridges, integral, semi-integral, and "conventional" stub abutments, pile, drilled shaft, and spread footing foundations, utilizing both load factor and load and resistance factor design methods.

While employed with L. A. Gates Company, Joe has worked on both bridge and building structural design. His building design experience includes commercial, institutional, and residential construction utilizing steel, concrete, masonry, and timber with values ranging from \$100,000 to \$8,000,000.

### Representative Projects

#### Buildings

- *Learning Resource Center, The College of West Virginia, Beckley, WV*
- *Residence Hall, The College of WV, Beckley, WV*
- *Beckley-Stratton Consolidated Jr. High School, Raleigh County Board of Education, Beckley, WV*
- *Winterplace Lodge Expansion, Bright Enterprises, Ghent, WV*
- *Enterprise Child Development Center, River Valley Child Development Services, Huntington, WV*
- *The Community Bank, Mt. Airy, North Carolina*
- *The Clarksburg Center, Fairmont State College, Clarksburg, WV*
- *Pinecrest Multi-Use Building, Pinecrest Development Corporation, Beckley, WV*
- *Clarksburg Federal Building, General Services Administration, Clarksburg, WV*
- *N.C.S.U. Partners II Laboratory, North Carolina State University, Raleigh, North Carolina*
- *Athens Clinic, Athens, WV*
- *Green Bank Elementary/Middle School Addition/Renovations, Green Bank, WV*
- *United States Postal Service, Petersburg Main Post Office, Petersburg, WV*
- *Casa Ole' Mexican Restaurant, Beckley, WV*
- *Schwan's Sales Building Foundation Design, Beaver, WV*
- *Mine Academy Test Building Foundation Design, Beaver, WV*

#### Bridges

- *Petry Bottom Bridge, Raleigh County, WV*
- *Huff Creek Bridge, Wyoming County, WV*
- *Bruno Bridge Replacement, Logan County, WV*
- *Main Street Bridge Replacement, Wetzel County, WV*
- *Shepherd Bridge Replacement, Marshall County, WV*
- *Grafton High School Arch Bridge, Taylor County, WV*
- *US 220 Ramp Connector Bridge, Hardy County, WV*
- *Greenbrier Avenue Bridge, Greenbrier County, WV*
- *Russellville Bridge Replacement, Greenbrier County, WV*



## **Amelia McClure, P.E. - Structural Engineer**

### **Education**

B.S. Civil Engineering, 1998, West Virginia Institute of Technology  
M.S. Engineering, 2002, Marshall University Graduate College

### **Registration/Licenses**

Professional Engineer - West Virginia # 15342  
Professional Engineer - Virginia # 36143

### **Memberships**

West Virginians for Better Transportation  
Greater Greenbrier Chamber of Commerce

### **Summary of Experience**

Amelia is an experienced Structural Engineer having worked on various bridge projects in the private sector as well as at the West Virginia Department of Transportation where she worked as Bridge Design Engineer for District Nine in Lewisburg, WV. Amelia is experienced in plan review, bridge hydraulics, abutment design, foundation design, pile design, retaining wall design and steel beam design. Amelia is experienced in various aspects of bridge construction engineering such as temporary shoring, bracing, decking, demolition and erection plans. She is proficient with Microstation CAD software, HEC-RAS hydraulic analysis software, GawacWin gabion retaining walls design software, GRLWEAP pile driving analysis software, Microsoft Word and Microsoft Excel.

### **Representative Projects**

#### **Bridges**

- *Camp 29 Bridge, Nicholas County, WV-Erection Plan and Decking Plan*
- *Carters Creek Bridge, Nicholas County, WV-Demolition Plan and Temporary Bridge Plan*
- *Chesapeake Bridge, Kanawha County, WV-Decking Plan*
- *Dunloup Bridge #7, Fayette County, WV-Abutment Redesign, Demolition Plan and Erection Plan*
- *East Kingston Arch, Fayette County, WV-Demolition Plan and Erection Plan*
- *Ethel Slab Bridge, Logan County, WV-Decking Plan, Erection Plan, and Temporary Bracing Plan*
- *Fields Creek Bridge, Kanawha County, WV-Temporary Bridge Plan, and Demolition Plan*
- *First Slab Bridge, Randolph County, WV-Demolition Plan, Erection Plan, and Temporary Bracing Plan*
- *Five Mile Road Bridge, Kanawha County, WV- Demolition Plan, and Temporary Bridge Plan*
- *Granny Creek Bridge, Roane County, WV-Demolition Plan, and Erection Plan*
- *Grassy Creek Bridge, Webster County, WV-Temporary Bridge Plan, and Demolition Plan*
- *Gum Bridge, Randolph County, WV-Temporary Bridge Plan*
- *Hampton Truss, Upshur County, WV-Cofferdam Design, Demolition Plan, Erection Plan, and Temporary Bracing Plan*
- *Hemlock Bridge, Jackson County, WV- Demolition Plan and Erection Plan*
- *Huff Creek Bridge, Wyoming County, WV-Demolition Plan, and Temporary Bridge Plan*
- *Lochgelly Road Interchange Bridge, Fayette County, WV-Erection Plan*
- *Little Grassy Creek Bridge, Webster County, WV-Temporary Bridge Plan, and Demolition Plan*
- *Little Sandy Arch, Preston County, WV -Temporary Shoring Plan*





## Patricia A. McCormick – Permitting Manager

### Summary of Experience

Ms. McCormick currently serves as permitting manager where she is responsible for ensuring that all permitting actions are in compliance with State and Federal regulations and guidelines as well as serving as liaison with client and regulatory personnel. Mr. McCormick has over 35 years experience in the mining industry performing permitting and environmental duties.

### Key Areas of Expertise

- *SMCRA Permitting*
- *NPDES Permitting*
- *Air Quality Permitting*
- *Blasting*
- *Managing Water Monitoring Programs*
- *CADD Drafting*
- *SHPO, Fish & Wildlife, MSHA Coordination*

### Representative Projects

#### SMCRA/NPDES Permitting

- Tioga Refuse Re-Mining Permit, , Nicholas County, WV
- Republic Deep Mine, Kanawha County, WV
- Dingess No. 2 Deep Mine, Logan County, WV
- Long Branch Reserve Analysis, Fayette County, WV
- Longbottom Contour Mine, Kanawha County, WV
- Cowen Loadout Facility, Webster County, WV
- Midland Trail Surface Mine No. 1, Greenbrier County, WV
- Midland Trail Surface Mine No. 1 Amendment, Greenbrier County, WV
- Dents Run Impoundment Abandonment Plan, , Marion County, WV
- Fourmile Surface Mine No. 2, , Kanawha County, WV
- Tate Run Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Right Fork Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Hardway Branch Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Paynter Branch South Surface Mine, Wyoming County, WV
- Skitter # 1 Surface Mine Regrade/Drainage/Subsidence Revision, Fayette County, WV
- Jones Branch Loadout Drainage Revision, Nicholas County, WV



## **Angelia Lilly, E.I.T. – Staff Engineer**

### **Education**

B.S. Civil Engineering Technology, 2005, Bluefield State College

B.S. Architectural Engineering Technology, 2005, Bluefield State College

### **Registration/Licenses**

Engineering Intern - West Virginia

### **Summary of Experience**

Ms. Lilly serves as a design engineer for all mining related projects at L.A. Gates Company. Ms. Lilly is experienced in performing geotechnical design and analysis; hydrologic-hydraulic design and analysis as well as reclamation design. Ms. Lilly is additionally experienced in the preparation of all mining related permitting and with AutoCAD and SurvcADD drafting.

### **Representative Projects**

#### **Geotechnical/Hydrologic-Hydraulic/Reclamation Design**

- Tioga Refuse Re-Mining Permit, , Nicholas County, WV
- Dingess No. 2 Deep Mine, Logan County, WV
- Tate Run Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Right Fork Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Hardway Branch Surface Mine Regrade/Drainage Revision, Nicholas County, WV
- Paynter Branch South Surface Mine, Wyoming County, WV
- Skitter # 1 Surface Mine Regrade/Drainage/Subsidence Revision, Fayette County, WV
- Jones Branch Loadout Drainage Revision, Nicholas County, WV
- Peachorchard Surface Mine, Nicholas County, WV



## **Rick McClung – CADD Designer**

### **Education**

B.S., Architectural Engineering Technology, Bluefield State College

A.S., Civil Engineering Technology, Bluefield State College

### **Summary of Experience**

Mr. McClung's 17 years of experience consists of a wide range of drawing production of both board and CADD practices. His duties include design and production of construction documents for highway projects. His experience also includes residential and commercial drawings and construction estimating.

Rick has been an integral part of the success of Gates for the last eleven years with his expertise in CADD as well as his responsibility for maintaining the computer systems, software and network system at L.A. Gates Company

### **Representative Projects**

#### **Highway**

- *South Mineral Wells Interchange, Wood County, WV*
- *Coalfields Expressway, Raleigh County, WV*
- *East Beckley Bypass, Raleigh County, WV*
- *Stolling - Logan Road, Logan County, WV*
- *WV Route 10, Man to Logan, Logan County, WV*
- *Kanawha Street Improvements Raleigh County, WV*

#### **Bridges**

- *Petry Bottom Bridge, Raleigh County, WV*
- *Huff Creek Bridge, Wyoming County, WV*
- *Bruno Bridge Replacement, Logan County, WV*
- *Main Street Bridge Replacement, Wetzel County, WV*
- *Shepherd Bridge Replacement, Marshall County, WV*
- *Grafton High School Arch Bridge, Taylor County, WV*
- *Greenbrier Avenue Bridge, Greenbrier County, WV*
- *Russellville Bridge Replacement, Greenbrier County, WV*
- *Switzer Monty Brothers Bridge, Logan County, WV*
- *Airport Bridge, Greenbrier County, WV*
- *Muddy Creek Bridge, Greenbrier County, WV*
- *Camden on Gauley Bridge Replacement, Webster County, WV*
- *Steinbeck Bridge Replacement, Roane County, WV*
- *Roach Truss Bridge Replacement, Cabell County, WV*



## Robert W. Rector – CADD Designer

### Education

A.S., Drafting and Design Engineering Technology, West Virginia Institute of Technology

### Summary of Experience

Mr. Rector's 20 year background in drafting consists of a wide range of experience in the development of construction documents, both board and CADD practices. Responsibilities consist of drafting and coordinating with the various disciplines such as civil, architectural and structural projects. His duties also include the production of plans for bridge and roadway projects including calculations and quantity estimates.

### Representative Projects

#### Highway

- *Coalfields Expressway, Raleigh County, WV*
- *East Beckley Bypass, Raleigh County, WV*
- *Stollings - Logan Road, Logan County, WV*
- *WV Route 10, Man to Logan, Logan County, WV*
- *Sutton-Webster Springs Road, Braxton and Webster Counties, WV*

#### Site Development

- *Petersburg Main Post Office - Site and utility design*
- *Clarksburg GSA Federal Building - Site design*
- *Raleigh County Public Library - Site development for new parking area*
- *Princeton Main Post Office - Site and utility design*
- *Beckley State Police and DMV Building - Site and utility design*

#### Water and Sewer

- *Wastewater Treatment Plants for Watoga, Bluestone, Babcock, Twin Falls, and Pipestem State Parks.*
- *Cool Ridge/Flat Top Wastewater Collection & Disposal Project*
- *Airport Road/The Oaks Sanitary Sewer Extension Project*
- *Pluto Road Sanitary Sewer Extension Project*
- *Jolo/Paynesville Water System Extension*
- *Little Beaver Interceptor Sewer Pump Station & Force Main Project*

#### Architectural

- *Beckley State Police and DMV Building, Beckley, WV*
- *Raleigh County Junior High School, Beckley, WV*
- *New River Birthing Center, Scarbro, WV*
- *Clarksburg Center of Fairmont State College, Clarksburg, WV*
- *College of West Virginia Library, Beckley, WV*
- *College of West Virginia building additions, Beckley, WV*
- *Pinecrest Multi-purpose Building, Beckley, WV*
- *Clarksburg Federal Building, Clarksburg, WV*
- *Hospice House of Southern WV, Beckley, WV*

#### Architectural

- *Petry Bottom Bridge, Raleigh County, WV*
- *Huff Creek Bridge, Wyoming County, WV*
- *South Mineral Wells Interchange, Wood County, WV*
- *Bruno Bridge, Logan County, WV*
- *Main Street Bridge, Wetzel County, WV*
- *Shepherd Bridge, Marshall County, WV*
- *Grafton High School Arch Bridge, Taylor County, WV*



## Price Brooks – Chief of Surveys / Lead Right of Way Technician

### Summary of Experience

Mr. Brooks has 40 years experience in construction surveying. He has done extensive construction stakeout work for large highway projects and the mining industry.

Price has been the chief surveyor on some of the states largest projects including over 10 miles of interstate highway throughout the state. In addition Price also has over a decade of surveying around the mining industry.

The last thirteen years at L.A. Gates Company, Price has gained valuable experience working as the chief of surveys, handling all aspect of the field surveying for all of the Gates projects. In addition, Price is also the lead Right-of-Way technician working on property right-of-way plans on over 34 Highway Department Projects. He performs the courthouse research, assembles the property maps, calculates take areas, writes all property take legal description and does Quality Control for all Right-of-Way plan submissions.

### Key Areas of Expertise

- Construction and Topographic Surveying
- Courthouse Property and Deep Research
- Right of Way Plan Production and Quality Control
- Property Owner Public Relations
- Legal Description Writing

### Representative Projects

#### Surveying

- Coalfields Expressway, Raleigh County, WV
- South Mineral Wells Interchange, Wood County, WV
- East Beckley Bypass, Raleigh County, WV
- Stolling - Logan Road, Logan County, WV
- WV Route 10, Man to Logan, Logan County, WV
- Hurricane Creek Road, 5-lane improvement project, Putnam County, WV
- Kanawha Street Improvements Raleigh County, WV
- Stafford Drive Improvements, Mercer County, WV
- Locust Drive Extension, Mercer County, WV
- Town of Athens Wastewater Interceptor Sewer Project, Athens, WV
- Shady Spring PSD's Ward Park/Beaver Creek Sewer Interceptor Project, Daniels, WV
- Flat Top Lake Association, Inc.'s Water Distribution Project, Ghent, WV
- Shady Spring Public Service District's Mont Phillips Road Extension, Shady Spring, WV
- Shady Spring Public Service District's Lamplighter Road Extension, Shady Spring, WV
- Silver Point Homes Waterline Extension, Beaver, WV
- Shady Spring Public Service District's Wastewater Treatment Plant Upgrades, Glen Morgan, WV
- Pettry Bottom Bridge, Raleigh County, WV
- Huff Creek Bridge, Wyoming County, WV
- Bruno Bridge Replacement, Logan County, WV
- Shepherd Bridge Replacement, Marshall County, WV
- Grafton High School Arch Bridge, Taylor County, WV
- Greenbrier Avenue Bridge, Greenbrier County, WV
- Main Street Bridge, Wetzel County, WV
- Russellville Bridge Replacement, Greenbrier County, WV
- Switzer Monty Brothers Bridge, Logan County, WV
- Guyandotte River Bridge, Logan County, WV
- WV Route 17 Connector Bridges, Logan County, WV



## Lawrence Brooks – Instrument Man/CADD Drafter

### Summary of Experience

Mr. Brooks has 37 years experience in construction surveying. He has done extensive construction stakeout work for large highway projects and the mining industry.

The last twelve years at L.A. Gates Company, Lawrence has gained valuable experience working as a Cad technician on Highway plans for the Division of Highways. He assists in the plan production of the highway plans with an emphasis on performing Earthwork calculations and Quantity takeoff.

### Key Areas of Expertise

- Construction and Topographic Surveying
- Total Station, Data Collectors, GPS
- CADD Drafting
- Estimating

### Representative Projects

#### Surveying

- Coalfields Expressway, Raleigh County, WV
- South Mineral Wells Interchange, Wood County, WV
- East Beckley Bypass, Raleigh County, WV
- Stolling - Logan Road, Logan County, WV
- WV Route 10, Man to Logan, Logan County, WV
- Hurricane Creek Road, 5-lane improvement project, Putnam County, WV
- Kanawha Street Improvements Raleigh County, WV
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- Locust Drive Extension, Mercer County, WV
- Town of Athens Wastewater Interceptor Sewer Project, Athens, WV
- Shady Spring PSD's Ward Park/Beaver Creek Sewer Interceptor Project, Daniels, WV
- Flat Top Lake Association, Inc.'s Water Distribution Project, Ghent, WV
- Shady Spring Public Service District's Mont Phillips Road Extension, Shady Spring, WV
- Shady Spring Public Service District's Lamplighter Road Extension, Shady Spring, WV
- Silver Point Homes Waterline Extension, Beaver, WV
- Shady Spring Public Service District's Wastewater Treatment Plant Upgrades, Glen Morgan, WV
- Pettry Bottom Bridge, Raleigh County, WV
- Huff Creek Bridge, Wyoming County, WV
- Bruno Bridge Replacement, Logan County, WV
- Shepherd Bridge Replacement, Marshall County, WV
- Grafton High School Arch Bridge, Taylor County, WV
- Greenbrier Avenue Bridge, Greenbrier County, WV
- Main Street Bridge, Wetzel County, WV
- Russellville Bridge Replacement, Greenbrier County, WV
- Switzer Monty Brothers Bridge, Logan County, WV
- Guyandotte River Bridge, Logan County, WV
- WV Route 17 Connector Bridges, Logan County, WV



## **AML and Related Project Experience Matrix**







## **Signed Expression of Interest**



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  
**DEP14846**

PAGE  
**1**

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

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

L.A. Gates Company  
 2302 South Fayette Street  
 Beckley, WV 25801

SHIP TO

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/14/2009				
BID OPENING DATE: 11/03/2009		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		906-29		
<p><b>GARDEN GROUND HIGHWALLS DESIGN</b></p> <p><b>EXPRESSION OF INTEREST</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING EXPRESSIONS OF INTEREST FOR PROFESSIONAL ENGINEERING DESIGN SERVICES AND CONSTRUCTION MONITORING SERVICES AT THE GARDEN GROUND HIGHWALLS PROJECT IN FAYETTE COUNTY, WEST VIRGINIA, PER THE FOLLOWING BID REQUIREMENTS AND ATTACHED SPECIFICATIONS.</p> <p><b>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID AND IS TERMINATED WITHOUT FURTHER ORDER.</b></p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
VP-Environmental Engineering	304-256-1640 x113	11/03/09
FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
55-0649591		

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*.
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, 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

**EXPRESSION OF INTEREST**

Garden Ground Highwalls  
Requisition #DEP14846

**Part 1****GENERAL INFORMATION****1.1 Purpose:**

The Acquisition and Contract Administration Section of the Purchasing Division "State" is soliciting Expression(s) of Interest (EOI) for the West Virginia Department of Environmental Protection (WVDEP), Office of Abandoned Mine Lands & Reclamation (AML), from qualified firms to provide architectural/engineering services as defined in section two (2) and three (3) and construction monitoring services during the construction phase of the project as defined by the **Scope of Work**. Construction inspection by the firm will be at the option of WVDEP/AML.

**1.2 Project:**

The mission or purpose of the project described in sections 2 & 3 is to provide design services for the following:

**Garden Ground Highwalls:**

Construct diversion channels, ditches and/or under drains to transport drainage.  
Re-grade/reclaim refuse areas.  
Raze abandoned mine structures.  
Install appropriate wet mine seals and/or bat gate seals.  
Reclaim Highwalls and re-vegetate all areas disturbed during construction.

**1.3 Format:**

All responses should be submitted in a loose-leaf, three ring binder. The response should be presented in concise format which defines the corporation history and the experience, qualifications, and performance data of the firm's staff as requested by the AML Consultant Qualification Questionnaire (CQQ), Attachment "B" and the AML and Related Project Experience Matrix (RPEM). Attachment "C".

Electronic copies of the above referenced documents Attachment "B" and Attachment "C" are available online for registered vendors at:  
<http://www.state.wv.us/admin/purchase/newbul.htm>

**1.4 Inquiries:**

Additional information inquiries regarding this EOI must be submitted in writing to the State Buyer with the exception of questions regarding proposal submission,

which may be oral.

All inquiries of specification clarification must be addressed to:

Chuck Bowman, Buyer Supervisor  
Purchasing Division  
P.O. Box 50130  
Charleston, WV 25305-0130  
Fax: (304) 558-4115  
[charles.a.bowmanjr@wv.gov](mailto:charles.a.bowmanjr@wv.gov)

**The firm, or anyone on the firm's behalf, is not permitted to make any contact whatsoever with any member of the evaluation committee.** Violation may result in rejection of the EOI. The State Buyer named above is the sole contact for any and all inquiries after this EOI has been released.

**1.5 Vendor Registration:**

Firms participating in this process should complete and file a **Vendor Registration and Disclosure Statement** (Form WV-1) and remit the registration fee. Firm is not required to be a registered vendor in order to submit an EOI, but the **successful firm must register and pay the fee prior to the issuance of an actual contract.**

**1.6 Oral Statements and Commitments:**

Firm must clearly understand that any verbal representations made or assumed to be made during any oral discussions held between firm's representatives and any State personnel are **not binding.** Only the information issued in writing and added to the Expression of Interest specifications file by an official written addendum is binding.

**1.7 Economy of Preparation:**

EOI's should be prepared simply and economically, providing a straightforward, concise description of firm's abilities to satisfy the requirements of the EOI. Emphasis should be placed on completeness and clarity of content. Example projects referred to in a firm's EOI's submittal should address projects that are similar in scope to that of the EOI. **Firms must complete the CQQ and RPEM as included in Section 4.2 of this EOI.**

**1.8 Labeling of the Sections:** The response sections should be labeled for ease of evaluation.

**1.9 Submission:**

**1.9.1** State law requires that the original expression shall be submitted to the Purchasing Division. All copies to the Purchasing Division must be submitted

prior to the date and time stipulated as the opening date. All expressions will be date and time stamped on the Purchasing Division official time clock to verify time and date of receipt.

1.9.2 Firms mailing expressions should allow sufficient time for mail delivery to ensure timely arrival. The Purchasing Division **CANNOT** waive or excuse late receipt of an expression which is delayed and late for any reason according West Virginia State Code §5A-3-11. Any EOI received after the bid opening time and date will be immediately disqualified in accordance with State law and the Legislative Rule 148-CSR-1.

**Submit:**

One original plus one convenience copy and one copy on CD to:

Purchasing Division  
2019 Washington Street, East  
P.O. Box 50130  
Charleston, WV 25305-0130

The outside of the envelope or package(s) should be clearly marked:

Buyer: CB-23  
Req#: DEP14846  
Opening Date: 11/03/2009  
Opening Time: 1:30 pm

**1.10 Rejection of Expressions:**

The State shall select the best value solution according to §5G-1-3 of the West Virginia State Code. However, the State reserves the right to accept or reject any or all expressions and to reserve the right to withdraw this Expression of Interest at any time and for any reason. Submission of, or receipt by the State of Expressions confers no rights upon the firm nor obligates the State in any manner.

**1.11 Incurring Costs:**

The State and any of its employees or officers shall not be held liable for any expenses incurred by any firm responding to this EOI for expenses to prepare, deliver, or to attend the short-list interviews.

**1.12 Addenda:**

If it becomes necessary to revise any part of this EOI, an official written addendum will be issued by the State to all potential firms of record.

**1.13 Independent Price Determination:**

A contract will not be considered for award if the negotiated price was not arrived at independently without collusion, consultation, communication, or agreement as

to any matter relating to prices with any competitor,

1.14 **Price Quotations:** No "price" or "fee" quotation is requested or permitted in the response.

1.15 **Public Record:**

1.15.1 *Submissions are Public Record.*

All documents submitted to the State Purchasing Division related to purchase orders/contracts are considered public records. All EOI's submitted by firms shall become public information and are available for inspection during normal official business hours in the Purchasing Division Records and Distribution center after the expressions have been opened.

1.15.2 *Written Release of Information.*

All public information may be released with or without a Freedom of Information request, however, only a written request will be acted upon with duplication fees paid in advance. Duplication fees shall apply to all requests for copies of any document. Currently the fees are \$0.50/page, or a minimum of \$10.00 per request, whichever is greater.

1.15.3 *Risk of Disclosure.*

The only exemptions to disclosure of information are listed in West Virginia Code §29B-1-4. Primarily, only trade secrets as submitted by a firm are the only exemption to public disclosure. The submission of any information to the State by a firm puts the risk of disclosure on the firm. The submission of any information to the State by a vendor puts the risk of disclosure on the vendor. The State does not guarantee non-disclosure of any information to the public.

1.16 **Schedule of Events:**

Release of the EOI.....	10/15/2009
Expressions of Interest Opening Date.....	11/03/2009

1.17 **Mandatory Prebid Conference:**

Not applicable

1.18 **Bond Requirements:**

Not applicable

1.19 **Purchasing Affidavit:**

West Virginia State Code §5A-3-10a (3) (d) requires that all firms submit an Affidavit regarding any debt owed to the State and licensing and confidentiality certifications. The Affidavit **must** be signed and submitted prior to award. It is preferred that the Affidavit be submitted with the EOI.

**PART 2****OPERATING ENVIRONMENT**

- 2.1 **Location:** See location map (Attachment A1)

**Directions to the Garden Ground Highwalls:**

Site is in Fayette Co., near Glen Jean. From Rt. 19 take the Glen Jean exit and turn left, travel  $\pm$  ½ mile, turn right. Cross bridge, go straight past the NPS Bldg. Travel  $\pm$  ¼ mile past NPS Bldg. past church, cross RR Tracks, then straight ahead through yellow gate. This gravel road leads to the Problem Areas.

- 2.2 **Background:**

Firms are to be licensed Architectural/Engineering Firms (A/E) and should be familiar with, and have a successful track record of design of similar projects. The anticipated contract will be for "full-service" A/E design. Aspects of the design are to include, but not be limited to, Civil, Structural, Geological and Hydrological.

*The successful A/E will be responsible for Design of the following:*

**Garden Ground Highwalls:**

Approximately 12 miles of dangerous highwall are on this site. The slopes are steep and property owners are concerned about the possibility of falling debris. Also, there are collapsed and draining dangerous mine portals. There are several areas of coal refuse with dangerous mine structures that require reclamation. Design will possibly be developed in separate phases.

Preliminary design documents will be due 60 days from the issuance of the Purchase Order.

**PART 3****PROCUREMENT SPECIFICATIONS**

- 3.1 **General Requirements:**

Firm must submit a completed CQQ (Attachment "B") and RPEM (Attachment "C") as per Section 4.2

- 3.2 **Project Description:**

**Scope of Work:**



**Garden Ground Highwalls:**

Create diversion channels, ditches and/or under drains to transport drainage.

Re-grade/reclaim refuse areas.

Mine structure demolition.

Install appropriate wet mine seals and/or bat gate seals.

Reclaim Highwalls and re-vegetate all areas disturbed during construction.

**3.3 Special Terms and Conditions:**

3.3.1 *Bid and Performance Bonds:* Not Applicable

3.3.2 *Insurance Requirements:* \$1,000,000 General Liability per occurrence, \$2,000,000 Aggregate, \$1,000,000 Automobile Liability, \$1,000,000 Professional Liability, #DEP14846 must be listed on Insurance Certificates. Workers Compensation Certificate upon award. WV Statutory requirements including WV Code §23-4-2 (Mandolidis)

**3.4 General Terms and Conditions:**

By signing and submitting the EOI, the successful firm agrees to be bound by all the terms contained in Section Three (3) of this EOI.

**3.4.1 *Conflict of Interest:***

Firm affirms that it, its officers or members or employees presently have no interest and shall not acquire any interest, direct or indirect which would conflict or compromise in any manner or degree with the performance or its services hereunder. The firm further covenants that in the performance of the contract, the firm shall periodically inquire of its officers, members and employees concerning such interests. Any such interests discovered shall be promptly presented in detail to the Agency.

**3.4.2 *Prohibition Against Gratuities:***

Firm warrants that it has not employed any company or person other than a bona fide employee working solely for the firm or a company regularly employed as its marketing agent to solicit or secure the contract and that it has not paid or agreed to pay any company or person any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award of the contract. For breach or violation of this warranty, the State shall have the right to annul this contract without liability at its discretion, and/or to pursue any other remedies available under this contract or by law.

**3.4.3 *Certifications Related to Lobbying:***

Firm certifies that no federal appropriated funds have been paid or will be paid, by or on behalf of the company or an employee thereof, to any person for



**Signed Purchasing Affidavit**

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:

*West Virginia Code* §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A 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:

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 price 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. 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 is in compliance with the requirements as stated.

Vendor's Name: L.A. Gates Company

Authorized Signature: \_\_\_\_\_

Date: 11/23/09