

2400 Riffer Drive  
Daniels, WV 25832  
PH: 304-753-4573  
Fax: 304-763-4591  
www.aspen-golf.com

**Aspen Corporation**

RECEIVED

200 OCT 26 A 8:57

PURCHASING DIVISION  
STATE OF WV

**Fax**

To: Chuck Beaman; From: Linda C. Freeman  
Department of Administration  
Purchasing Division, Building #15  
2019 Washington Street, East  
Charleston, WV 25305-0130

Fax: 304-558-3970 Page: 24

Phone: 304-558-2157 10-26-2010

Re: Dumbup Creek Complex CC: File

Urgent  For Review  Please Comment  Please Reply  Please Recycle

• Comments:

Buyer: CB-23  
RFQ. NO. DEP15178  
Bid Opening Date: October 26, 2010  
Bid Opening Time: 1:30 PM

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

**Request for  
 Quotation**

RFO NUMBER  
 DEP1517A

PAGE  
 1

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

\*709052150 304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

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
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BID OPENING DATE: ~~10/19/2010~~ 10/21/2010 BID OPENING TIME: ~~01:30PM~~

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 ***** ADDENDUM ISSUED FOR THE DUNLOUP CREEK COMPLEX PROJECT IN RALEIGH, CO., WV, TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, AND THE Q/A RESULTING FROM THE MANDATORY ON-SITE PRE-BID MEETING ON 09/29/2010. BID OPENING DATE AND TIME REMAIN UNCHANGED AS 10/21/10 AT 1:30 PM. ***** NO OTHER CHANGES *****						
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Donnie Adkins</i>	TELEPHONE 304-763-4573	DATE 10-21-10
TITLE <i>President</i>	FEIN 55-0627766-001	ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia  
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# Request for Quotation

RFQ NUMBER  
 DEP15178

PAGE  
 1

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

ROUZYK

\*709052150      304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

SHP 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	FOB	FREIGHT TERMS
10/16/2010				

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	BID OPENING TIME	UNIT PRICE	AMOUNT
0001	1	JB		962-73	01:30PM		
***** ADDENDUM NO. 2 ***** ADDENDUM ISSUED FOR THE DUNLOUP CREEK COMPLEX PROJECT TO DISTRIBUTE THE ATTACHED SPECIFICATION AND DRAWING CLARIFICATION FROM THE AGENCY. BID OPENING DATE & TIME ARE EXTENDED FROM 10/21/2010 TO 10/26/2010 AT 1:30 PM. ***** NO OTHER CHANGES *****							
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES							
***** THIS IS THE END OF RFQ DEP15178 ***** TOTAL:							

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Donnie Adkins</i>	TELEPHONE 304-763-4573	DATE 10-26-10
TITLE President	FEIN 55-0627766-001	ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia  
Department of Administration  
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DEPT 5178

CHUCK BOWMAN  
304-588-2157

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

\*709052158 304-763-4573  
ASPEN CORPORATION  
2400 RITTER DR  
DANIELS WV 25832

DATE ISSUED: 09/09/2010

ISSUE DATE: 10/21/2010

BID OPENING TIME: 01:30PM

0001

LINE NO.	QUANTITY	UNIT	REMARKS	UNIT PRICE	TOTAL
1		JB	RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES	962-73	
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 16-ACRES ABANDONED MINE PROJECT KNOWN AS THE "DUNLOP CREEK COMPLEX" LOCATED NEAR PRICE HILL, WEST VIRGINIA, (RALEIGH CO.).</p> <p>A MANDATORY ON SITE PRE-BID CONFERENCE SHALL BE HELD ON 09/29/10 @ 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER. ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN</p>					

55-Dir-2746-001

304-763-4573

10-21-10

ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFO, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED "REVDOR"



State of West Virginia  
Department of Administration  
Purchasing Division  
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Request for  
Quotation

DEP15178

2

CHUCK BOWMAN  
806-558-2157

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

\*709052150 304-753-4573  
ASPER CORPORATION  
2400 RITTER DR  
DANIELS WV 25832

DATE PAID	10/21/2010	BID OPENING TIME	01:30PM
NO OPENING DATE	09/09/2010		

LINE	QUANTITY	UNIT	DESCRIPTION	PRICE
			ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER.	
			ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID, WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID, WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.	
			DIRECTIONS TO PREBID: FROM SUMMERSVILLE, TAKE US RT. 19 SOUTH TO BRADLEY. FROM BECKLEY, TAKE US RT. 19 NORTH TO BRADLEY, IN BRADLEY AT GRADE INTERCHANGE, TAKE CO. RT. 1 TO ST. RT. 16. TURN LEFT ON 16. JUST PAST FAYETTE COUNTY/RALEIGH COUNTY LINE, TURN TO RIGHT ON CO. RT. 19/2. AT THE INTERSECTION, AFTER CROSSING BRIDGE, TURN TO RIGHT. FOLLOW ROAD THAT PARALLELS THE CREEK TO GATE AT THE BEGINNING OF PROPERTY. PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM UNDER, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304, PR. 304-926-0485 UPON PAYMENT OF \$30.00 NON-REFUNDABLE FEE. PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. NO CASH WILL BE ACCEPTED.	
			EXHIBIT 5	
			NEXT VIRGINIA CODE 21-2D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE	

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



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 CHUCK BOWMAN  
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ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 OFFICE OF ANLR  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-8499

\*769052150  
 ASPEN CORPORATION  
 2409 RITTER DR  
 DANIELS WV 25832

APPROVED:	DATE:	09/09/2019
BY:	DATE:	10/21/2019
BID OPENING TIME	01:30PM	

AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 10, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.

NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 210 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.

CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.

WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR RALEIGH COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET. SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.)

ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS ARE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.

WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.

ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT



State of West Virginia  
Department of Administration  
Procurement Division  
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CHUCK BOWMAN  
804-558-2157

\*709052150 304-763-4573  
ASPEN CORPORATION  
2400 RITTER DR

DANIELS WV 25852

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

GENERAL DATE	09/09/2010	DATE OF BIDDING	10/21/2010	BID OPENING TIME	01:30PM
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OF THIS CONTRACT:

(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.

(X ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.

(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.

( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.

REV. 11/00  
\*\*\*\*\*

AML CONTRACTOR INFORMATION FORM OMB #1029-0119  
(EXPIRATION DATE: 01/31/2013) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA

WHEN RESPONDING TO R.F.Q. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'  
ADDRESS CHANGES TO BE NOTED ABOVE



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2018 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**Request for  
 Quotation**

DEPI5178

5

CHUCK BOWMAN  
 506-558-2157

ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 OFFICE OF ANLER  
 601 57TH STREET SE  
 CHARLESTON, WV  
 304-926-0499

\*7090852150 304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 26032

BID OPENING DATE 09/09/2010

BID OPENING TIME 01:30PM

BID OPENING TIME 01:30PM

EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML CONTRACTOR. THIS IS A REQUIREMENT UNDER 36 CFR 874.16. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AYS OFFICE AT 800-643-9748 DR WWW.AVS.GSMRE.GOV \*\*\*\*\*

**CONTRACTORS LICENSE**

WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSE BOARD IS EMPowered TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTRACTORS THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305, PH. 304-558-7894.

WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE:

CONTRACTORS NAME: *Aspen Corporation*  
 CONTRACTORS LICENSE #: *WV 000653*

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.

**APPLICABLE LAW**

THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES & REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING

ADDRESS CHANGES TO BE NOTED ABOVE





State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
Post Office Box 50130  
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Request for  
Quotation

DEP15178

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CHUCK BOWMAN  
804-558-2157

X709052158 304-765-4573  
ASPEN CORPORATION  
2430 RITTER DR

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

DANIELS WV 25832

DATE AWARDED	DATE OF AWARD	DATE OF RECEIPT	DATE OF RECEIPT
09/09/2010	10/21/2010		
BID OPENING DATE	BID OPENING TIME		
	01:30PM		
<p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>(1) NOTICE TO PROCEED: THE CONSTRUCTION WORK SPECIFIED HEREIN IS TO BE COMPLETED WITHIN 210 CALENDAR DAYS AFTER THE OFFICIAL NOTICE TO PROCEED IS RECEIVED. IN THE EVENT THAT A PRE-CONSTRUCTION CONFERENCE IS REQUIRED, THE NOTICE TO PROCEED SHALL BE THE SPECIFIC DATE ESTABLISHED IN THE PRE-CONSTRUCTION CONFERENCE.</p> <p>(2) GUARANTEE AND MAINTENANCE: THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHED BY CUSTOM OF THE RESPECTIVE TRADES. IN THE ABSENCE OF A TRADE GUARANTEE CUSTOM OR A SPECIAL GUARANTEE PROVISION, THE WORK, BOTH AS TO THE MATERIALS AND WORKMANSHIP, SHALL UPON ACCEPTANCE OF FINAL PAYMENT BY THE CONTRACTOR BE CONSIDERED GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FROM THE DATE OF THE ACCEPTANCE OF THE WORK. NEITHER THE FINAL ACCEPTANCE NOR THE FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIATED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE. (B) DURING THE ONE-YEAR GUARANTEE PERIOD, THE CONTRACTOR WILL MAINTAIN THE PROJECT TO THE CONDITIONS EXISTING AT THE DATE OF THE ACCEPTANCE OF THE WORK. ANY FAILURES DUE TO THE NEGLIGENCE OR WORKMANSHIP OF</p>			
<p>WHEN RESPONDING TO RFP, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED VENDOR</p>			



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

Request for Quotation

PROPOSER: [ ]  
 DEPI5178 [ ]

ADDRESS OF SUBMITTER: [ ]  
 CHECK BOWMAN [ ]  
 504-558-2157 [ ]

ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 OFFICE OF ARL&R  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-0459

\*709652150 304-753-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

BID OPENING DATE: 09/09/2010	BID OPENING TIME: 01:30PM
BID CLOSING DATE: 10/21/2010	BID CLOSING TIME: 01:30PM

CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE.

(C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSIDERED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT.

(D) GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN.

(3) TERMINATION:  
 (1) THIS CONTRACT MAY BE CANCELLED IN WHOLE OR IN PART IN WRITING BY THE DIRECTOR OF PURCHASING, WITHOUT PREJUDICE TO ANY OTHER RIGHT OR REMEDY IT MAY HAVE, PROVIDED THAT THE CONTRACTOR IS GIVEN NOT LESS THAN THIRTY CALENDAR DAYS WRITTEN NOTICE, (DELIVERED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED) OF INTENT TO TERMINATE.

(4) IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL VENDOR TO:  
 (A) OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE.  
 (B) OBTAIN ANY AND ALL REQUIRED CONSTRUCTION PERMITS OR RELATED JOB PERMITS.

(5) TECHNICAL SPECIFICATIONS:  
 ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "GAYLORD CREEK COMPLEX" PROJECT.  
 PLANS & SPECS ARE INCORPORATED HERE IN BY REFERENCE AND ALL PROVISIONS, CLAUSES AND CONDITIONS THEREIN ARE MADE PROPERLY A PART OF THIS CONTRACT, AND CONSISTS OF 50 DRAWINGS AS PREPARED BY E. L. ROBINSON ENGINEERING

NO ANSWER

DATE

ADDRESS CHANGES TO BE NOTED ABOVE



State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
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REC'D NUMBER  
DEP15178

8

ADDRESS CONTACTED TO ATTENDANCE  
CHUCK BOHMAN  
504-558-2157

\*709052150 304-763-4573

ASPEN CORPORATION  
2408 RITTER DR

DANIELS WV 25832

ENVIRONMENTAL PROTECTION

DEPARTMENT OF  
OFFICE OF AWLR  
601 57TH STREET SE  
CHARLESTON, WV  
25304

304-926-0499

AWARDED	DATE OF AWARD	PROJECT
09/09/2018	10/21/2018	BID OPENING TIME 01:30PM

COMPANY.  
(6) PAYMENTS AND COMPLETION:  
THE CONTRACTOR SHALL FURNISH TO DEP AN APPLICATION FOR PAYMENT WITH AN ITEMIZED SCHEDULE OF VALUES AS HEREIN BEFORE REQUESTED. THE FORM INCLUDED IN THE SPECIFICATIONS SHALL BE USED FOR APPLICATIONS OF PAYMENT. IT IS THE DEP'S INTENT THAT THE PAYMENT TO THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT.

(7) APPLICATION FOR PARTIAL PAYMENT:  
THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMIT FOR PARTIAL PAYMENT BASED ON THE AMOUNT OF WORK COMPLETED AT THE TIME OF THE SUBMITTAL. THE AMOUNT OF PAYMENT WILL BE DETERMINED FROM THE ACTUAL QUANTITY OF WORK COMPLETED IF BASED UPON UNIT MEASURES OR THE PERCENT COMPLETED IF BASED UPON A LUMP SUM.

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.

REV. 1/2005

PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS

1. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES, AS USED IN THIS CONTRACT.

A. "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATION

ADDRESS CHANGES TO BE NOTED ABOVE

TELEPHONE

WRITE RESPONDING TO RFO, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED VENDOR



State of West Virginia  
Department of Administration  
Purchasing Division  
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Martinsburg, WV 25305-0130

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9

CRUCK BOWMAN  
366-558-2157

ENVIRONMENTAL PROTECTION  
DEPARTMENT OF  
OFFICE OF ANLR  
601 5TH STREET SE  
CHARLESTON, WV  
25304 304-926-0499

\*709052158 304-763-4573  
ASPEN CORPORATION  
2400 RYTER DR  
DANIELS WV 25832

DATE BILLED	09/09/2010	DATE OPENING DATE	10/21/2010	RFD OPENING TIME	01:30PM
DESCRIPTION	CLERICAL	ITEMS	ITEMS	ITEMS	ITEMS

- A. THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR,
- B. THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE
- C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.
- D. THE DIRECTOR OF THE PURCHASING DEPARTMENT MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:
  - 1. THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR,
  - 2. THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE

SEE REVERSE SIDE FOR TERMS AND CONDITIONS  
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State of West Virginia  
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2015 Washington Street East  
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10

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804-558-2157

#709052150 304-763-4573  
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2600 RITTER DR  
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CHARLESTON, WV  
25304 304-926-0499

09/09/2010 10/21/2010

BID OPENING TIME 01:30PM

SECTION	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	REMARKS
3.	A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56.					
	REV. 10/01/02					
	EXHIBIT 7					
	DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS					
	IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM, GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.					
	FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES					

SECTION 5 SUBSECTION 56.1 DOMESTIC PRODUCTS

SECTION 5 SUBSECTION 56.1 DOMESTIC PRODUCTS

WHEN RESPONDING TO REQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELLED "VENDOR"



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2015 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**Request for  
 Quotation**

DEPL5178

11

CHUCK BOWMAN  
 304-558-2157

ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 OFFICE OF AML&R  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-8499

\*709052150 304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

DATE	DESCRIPTION	STATUS	DATE	DESCRIPTION	STATUS
09/09/2010			10/21/2010		

DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30X OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.

IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID FOR DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.

REV. 3/78B

EXHIBIT 9

NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA.

THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:

(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.

(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID

ADDRESS CHANGES TO BE NOTED ABOVE



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

**Request for  
 Quotation**

DEP15178

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ADDRESS RESPONSE TO INTENTION OF  
 CHUCK BOWMAN  
 504-558-2157

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

\*709052150 304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

09/09/2018	10/21/2018	BID OPENING TIME	01:30PM
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OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.  
 (3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.

REV. 11/96  
 EXHIBIT 10

REQUISITION NO. DEP15178...

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

ADDENDUM NO.'S:  
 NO. 1 ..... *Received*  
 NO. 2 ..... *Received*  
 NO. 3 .....  
 NO. 4 .....

WHEN RESPONDING TO RFO, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELLED VENDOR

ADDRESS CHANGES TO BE NOTED ABOVE



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

Request for  
Quotation

DEP15178

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CHUCK BOWMAN  
804-558-2157

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

\* 789052150 304-763-4573  
ASPEN CORPORATION  
2400 RITTER DR  
DANIELS WV 25832

09/08/2010	10/21/2010	BID OPENING TIME	01:30PM
09/08/2010	10/21/2010	BID OPENING TIME	01:30PM

NO. 5

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

VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL  
REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY  
ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES  
AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE  
INFORMATION ISSUED IN WRITING AND ADDED TO THE  
SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.

*Donna Adams*  
*Aspen Corporation*  
SIGNATURE COMPANY

10-21-2010 DATE

REV. 11/96

NOTICE

A SIGNED BID MUST BE SUBMITTED TO:

DEPARTMENT OF ADMINISTRATION  
PURCHASING DIVISION  
BUILDING 15  
2019 WASHINGTON STREET, EAST  
CHARLESTON, WV 25305-0130

THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF  
THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:

ADDRESS CHANGES TO BE NOTED ABOVE





State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50133  
 Charleston, WV 25305-0130

**Request for  
 Quotation**

DEP15178

14

CHUCK BOWMAN  
 586-558-2157

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

304-926-0499

\*789052158 304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

DISPATCHED	TERMS OF SALE	BID OPENING TIME	PRELIMINARY
09/09/2010	10/21/2010	01:30PM	

LINE	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
			SEALED BID		
			BUYER:	CS-23	
			RFQ. NO.:	DEP15178	
			BID OPENING DATE:	10/21/2010	
			BID OPENING TIME:	1:30 PM	
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304 763-4591					
VENDOR SHOULD SUBMIT WITH THEIR BID THE CURRENT REMIT-TG ADDRESS TO BE USED FOR PAYMENT PROCESSING: 2400 Ritter Drive Daniels, WV 25832					
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: Joe Kirby					

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

Dunloup Creek Complex  
DEP15178  
Contractor's Bid Sheet

Vendor's Name: ASPEN CORPORATION

2400 PETER DRIVE  
DANIELS, WV 25832

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

3047634591

ITEM NO.	Quantity	DESCRIPTION	UNIT PRICE	AMOUNT
1.1	LS	Mobilization & Demobilization (Lump Sum) (Amount exceed 10% of the Total Amount Bid)	\$ 18,000.00	\$ 18,000.00
2.1	LS	Construction Layout (Lump Sum) (Amount exceed 5% of the Total Amount Bid)	\$ 12,000.00	\$ 12,000.00
3.1	LS	Quantity Control (Lump Sum) (Amount exceed 5% of the Total Amount Bid)	\$ 3,200.00	\$ 3,200.00
4.1	LS	Clearing and Grubbing (Lump Sum) (Amount exceed 5% of the Total Amount Bid)	\$ 40,000.00	\$ 40,000.00
4.2	54E TONS	Roadway Restoration (Per Ton)	\$ 30.00	\$ 16,200.00
5.1	250E LF	Self Fence (Per Linear Foot)	\$ 4.00	\$ 1,000.00
5.2	600E LF	Super Site Fence (Per Linear Foot)	\$ 7.00	\$ 4,200.00
5.3	80E LF	Stump Barbs (Per Linear Foot)	\$ 4.00	\$ 320.00
5.4	4 EA	Stump Check Beam (Per Each)	\$ 250.00	\$ 1,000.00
5.5	1 LS	Subsurface Construction Substance (Per Lump Sum)	\$ 5,500.00	\$ 5,500.00
6.1	16 ACRES	Revegetation (Per Acre)	\$ 2,100.00	\$ 33,600.00
7.1	1395 LF	Type I Edgecap Ditch (Per Linear Foot)	\$ 32.00	\$ 44,560.00
7.2	595 LF	Type II Edgecap Ditch (Per Linear Foot)	\$ 56.00	\$ 33,320.00
7.3	720 LF	Type III Grouted Edgecap Ditch (Per Linear Foot)	\$ 77.00	\$ 55,740.00
7.4	710 LF	Type IV Trapezoidal Riprap Stream Bed with Riprap Bands (Per Linear Foot)	\$ 110.00	\$ 78,100.00
7.5	1,220 LF	Type V Trapezoidal Natural Stream Bed with Riprap Bands (Per Linear Foot)	\$ 87.00	\$ 106,140.00
7.6	90 LF	Type VI Trapezoidal Riprap Ditch (Per Linear Foot)	\$ 43.00	\$ 3,870.00
7.7	1,020 LF	Type VII Grass Lined Ditch (Per Linear Foot)	\$ 6.00	\$ 6,120.00
7.8	400 LF	Underdrain (Per Linear Foot)	\$ 32.00	\$ 12,800.00
7.9	70 LF	2" HDPE Pipe Culvert (Per Linear Foot)	\$ 33.00	\$ 2,310.00
7.10	2 EA	Grouted Stone Headwall (Per Each)	\$ 900.00	\$ 1,800.00
7.11	955 LF	Stream Bank Protection (Per Linear Foot)	\$ 48.00	\$ 45,660.00
7.12	1 EA	Contract Clean Out (Per Each)	\$ 500.00	\$ 500.00
8.1	36,000 CY	Unclassified Excavation (Per Cubic Yard)	\$ 3.00	\$ 108,000.00
8.2	10 ACRE	Soil Cover (Per Acre)	\$ 4,200.00	\$ 42,000.00
10.1	6 EA	Vegetation Seed (Per Each)	\$ 6,400.00	\$ 38,400.00
10.2	10 EA	Dry Nitrate Seed (Per Each)	\$ 5,000.00	\$ 50,000.00
10.3	660 LF	Hydro Seal Caserence Type (Per Linear Foot)	\$ 16.00	\$ 10,560.00
10.4	20 BAGS	Soils Ash Briquettes (Per 50lb Bag)	\$ 40.00	\$ 800.00
<b>TOTAL</b>				<b>\$ 822,750.00</b>

AML CONTRACTOR INFORMATION FORM

OMB #025-0119  
Expiration Date: 12/31/13

You must complete this form for your AML contracting office to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 57.114.

Part A: General Information

Business Name: Asped Corporate Tax Paper ID No.: 55-0637766-001  
Address: 4400 Retic Drive  
City: Danvers State: NV Zip Code: 89422 Phone: 304-763-4573  
Fax No.: 304-763-4591 E-mail address: adkins@asped-golf.com

Part B: Legal Structure

- Corporation
- Sole Proprietorship
- Partnership
- LLC
- Other (please specify) \_\_\_\_\_

Part C: Certifying and updating information in the Applicant/Trilater System (AVS).  
Select only one of the following options, follow the instructions for that option, and sign below.

1. Donnie Adkins have the express authority to certify that:  
(print name)

1.  Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.

2.  Part of the information on the attached Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.

3.  Our business currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

Date: 10-21-10 Signature: Donnie Adkins Title: President

IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 888-643-9748 or from the AVS website at <http://avs.assmre.gov>.



Parent Entity  
 (248573) Aspen Corporation  
 (248573) Aspen Corporation  
 (248573) Aspen Corporation  
 (248573) Aspen Corporation  
 (248573) Aspen Corporation  
 (248573) Aspen Corporation

AVS OTR Report - 4/13/2010 9:16:19 AM  
 All OTR's where the selected entity is listed as an entity or related entity  
 Entity Selected (248573) Aspen Corporation

Relationship	Related Entity	% Ownership	Begin Date	End Date
Shareholder	(248573) Aspen Corporation	50%	1/1/82	
Shareholder	(248573) Aspen Corporation		1/1/82	
Shareholder	(248573) Aspen Corporation	50%	1/1/82	
Yes (President)	(248573) Aspen Corporation		1/1/82	
Secretary	(248573) Aspen Corporation		1/1/82	
Treasurer	(248573) Aspen Corporation		1/1/82	

Agency DEP #15178  
REQ. OF 7-18

END 80KB

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Aspen Corporation  
of 2400 E. Chester St., Daniels, WY 25832, as Principal and Cincinnati Insurance  
of 6200 S. Clingman Rd., Raleigh, NC a corporation organized and existing under the laws of the State of  
Ohio as principal office in the City of Fairfield as Surety, are bid and jointly bound under the State  
of West Virginia, as Obligor, in the bond sum of 58 of bid \$ 58 of bid for the payment of work,  
work and ready to be made, we hereby and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that witness the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, altered hereto and made a part hereof, to enter into a contract in writing for  
DEP #15178 Reclamation of 16-acre abandoned mine project known as  
"Darloup Creek Complex" located near Price Hill, WY (Ralston County)

NOTWITHSTANDING

(a) If said bid shall be rejected, or  
(b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal submitted  
herein and shall thereby pay other bonds and premiums required by the bid or proposal, and shall in all other respects perform the  
agreements created by the acceptance of said bid, then the obligation hereof shall not and will, otherwise the obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event  
exceed the paid amount of this obligation as herein stated.

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

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and each of them as are corporations  
have caused their corporate seals to be affixed hereto, and these presents to be signed by their proper officers, this  
21st day of October, 20 10

Principal Corporate Seal

Aspen Corporation

(Name of Principal)

By [Signature]  
(Must be President or  
Vice President)

Vice President  
(Title)

Cincinnati Insurance Company  
(Name of Surety)

[Signature]  
Agent for Bond

Brenda Staffer

Surety Corporate Seal

WARRANTY - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Related corporate seals  
must be affixed, a power of attorney must be attached.

THE CINCINNATI INSURANCE COMPANY

Cincinnati, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Cincinnati, Ohio, does hereby constitute and appoint

Jim Sanger, II; William Steven Cochran and/or Brenda Snuffer

its true and lawful Attorneys-in-Fact to sign, execute, seal and deliver on its behalf as Surety and as its act and deed any and all bonds, policies, endorsements, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to sign the corporate seal and may with or without cause affecting or revoking any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This appointment is made under seal by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1954, which resolution is set in effect:

"RESOLVED, that the President or any Vice President be and is hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, endorsements, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to sign the corporate seal and may with or without cause affecting or revoking any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by the authority of the aforesaid Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1954.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by Assentable on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by Assentable to any certificate of any such power and any such power of certificate-making and Assentable signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate or certificate and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 10th day of October, 1958.



STATE OF OHIO )  
COUNTY OF SUTLER ) ss:

THE CINCINNATI INSURANCE COMPANY  
*William S. Cochran*  
Vice President



*Robert J. Miller*  
ROBERT J. MILLER, Attorney at Law  
ASSISTANT PUBLIC - STATE OF OHIO  
My commission has no expiration  
date. Expires: 02/25/2002.

On this 10th day of October, 1958, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio, this 21st day of October, 2010



*Henry D. Ackerman*  
Secretary



State of West Virginia  
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT  
West Virginia Code §21-1D-5

STATE OF West Virginia  
COUNTY OF  Raleigh , TO-WIT:

I, Donnie Adkins, after being first duly sworn, depose and state as follows:

- I am an employee of Aspen Corporation; and, (Company Name)
- I do hereby attest that Aspen Corporation (Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.

The above statements are sworn to under the penalty of perjury.

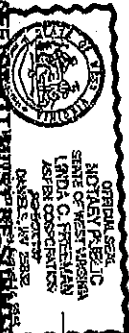
Aspen Corporation  
(Company Name)

By: Donnie Adkins

Title: President

Date: 10-21-2010

Taken, subscribed and sworn to before me this 21<sup>st</sup> day of Oct. 2010.  
By Commission expires 8-14-2015



Linda C. Freeman  
(Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

STATE OF WEST VIRGINIA  
Purchasing Division

RFQ No. DEP15178

### PURCHASING AFFIDAVIT

West Virginia Code §54-2-13a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

**DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to this state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, delinquent workers' compensation premium, penalty or other assessment personally delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Related party" means any individual, corporation, partnership, association, Unincorporated Liability Company or any other form of business association owing a debt to the state or any of its political subdivisions. "Political subdivisions" means any county, municipality, or any of its political subdivisions. "Political subdivisions" means any county, municipality, or any of its political subdivisions, county board of education, any instrumentality established by a county or municipality, any separate corporation or instrumentally established by one or more counties or municipalities, as permitted by law, or any public body created by law with the performance of a governmental function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form of business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or control through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by direct receipt or control of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or enforcement fee or assessment, and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (West Virginia Code §51-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: Aspen Corporation  
Authorized Signature: Annice Halkin Date: 10-21-2010

State of WV  
County of Raleigh 10-21-2010  
Witness, subscribed, and sworn to before me this 21 day of December, 2010.

My Commission expires 8-14, 2015

AFFIX SEAL HERE  
NOTARY PUBLIC Shirley Chalmers

