

# CONTEMPORARY BUILDERS

## DCI / SHIRES, Inc.

### FACSIMILE TRANSMITTAL SHEET

TO: WV Dept. of Administration	FROM: DCI/Shires, Inc. Robert Deeb, Pres.
COMPANY: Attn: Chuck Bowman	DATE: 10/26/2010
FAX NUMBER: 304 558 3970	TOTAL NO. OF PAGES INCLUDING COVER: 26
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: CB 23, RFQ DEP 15178, Open Date: 10/26/2010	YOUR REFERENCE NUMBER:

- URGENT   
 FOR REVIEW   
 PLEASE COMMENT   
 PLEASE REPLY   
 PLEASE RECYCLE

NOTES --

We are faxing our bid for the above referenced project. We will mail the original in today's mail.

Buyer: CB 23

RFQ DEP 15178

Bid Opening Date: 10/26/2010, 1:30 p.m.

**RECEIVED**  
 2010 OCT 26 A 11:51  
 PURCHASING DIVISION  
 STATE OF WV

P. O. BOX 1259  
 BLUEFIELD, WV 24701  
 304-323-1996 PHONE  
 304-323-3037 FAX

DCI/SHIRES, INC.  
P O BOX 1259  
BLUEFIELD WV  
24701  
(304) 323 1996  
FAX: (304) 323 3037  
WV CONTRACTOR LICENSE # WV 030698



ROBERT DEEB  
PRESIDENT

SEALED BID

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF AML&R  
601 57<sup>TH</sup> STREET SE  
CHARLESTON WV 25304  
(VIA STATE PURCHASING BULLETING)

CB 23  
RFQ NO. DEP 15178  
BID OPENING DATE: 10/26/2010, 1:30 P.M.



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  
 DEP15178

PAGE  
 1

ADDRESS TO BE RESPONDED TO ATTENTION TO  
 CHUCK BOWMAN  
 304-558-2157

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**DCI / Shires, Inc.**  
 P. O. Box 1259  
 Bluefield, WV 24701

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

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS		
10/12/2010						
BID OPENING DATE	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						

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 2010 OCT 26 A 11:50  
 PURCHASING DIVISION  
 STATE OF WV

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SIGNATURE: *[Signature]* TELEPHONE: 304-323-1996 DATE: 10/26/10  
 TITLE: President FEIN: 54-194474 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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2019 Washington Street East  
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ADDRESS FOR CORRESPONDENCE (IF DIFFERENT)  
CHUCK BOWMAN  
304-558-2157

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**DCI / Shires, Inc.**  
P. O. Box 1259  
Bluefield, WV 24701 067135934

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DEPARTMENT OF  
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601 57TH STREET SE  
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25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	CPY	PAID QUOTATIONS	
10/19/2010					
BID OPENING DATE	10/26/2010		BID OPENING TIME	01:30PM	
LINE	QUANTITY	UNIT	ITEM NUMBER	UNIT PRICE	AMOUNT
***** 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 *****					
0001	1	JB	962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES					
***** THIS IS THE END OF RFQ DEP15178 *****					TOTAL: \$ 896,746.75

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 304 323 1996 DATE: 10/26/10  
 TITLE: President FEIN: 541944474 ADDRESS CHANGES TO BE NOTED ABOVE

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DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS		
09/09/2010						
BID OPENING DATE: 10/21/2010		BID OPENING TIME 01:30PM				
LINE	QUANTITY	U/P	QAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
<p>RECLAMATION: RESTORATION OF LAND &amp; OTHER PROPERTIES</p> <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-ACRE ABANDONED MINE PROJECT KNOWN AS THE "DUNLOUP CREEK COMPLEX" LOCATED NEAR PRICE HILL, WEST VIRGINIA, (RALEIGH CO.).</p> <p>A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 09/29/10 @ 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND TH 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>						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE <i>[Signature]</i>		TELEPHONE 304 323 1996		DATE 10/26/10		
TITLE President		FBN 54 194 4414		ADDRESS CHANGES TO BE NOTED ABOVE.		

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ADDRESS/RESPONSE TO A REQUEST FOR QUOTATION  
 CHUCK BOWMAN  
 304-558-2157

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**DCI / Shires, Inc.**  
 P. O. Box 1259  
 Bluefield, WV 24701

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

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DATE PRINTED	TERMS OF SALE	SHIP VIA	FCB	FREIGHT TERMS
09/09/2010				
BID OPENING DATE: 10/21/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOF	UNIT PRICE	AMOUNT
<p>ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER.</p> <p>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.</p> <p>DIRECTIONS TO PREBID:</p> <p>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.</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&amp;R, 601 57TH ST., SE, CHARLESTON, WV 25304, PH. 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.</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-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</p>				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304 3231996	10/26/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	501944474	

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ADDRESS FOR CORRESPONDENCE OR ATTENTION  
 CHUCK BOWMAN  
 304-558-2157

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**DCI / Shires, Inc.**  
**P. O. Box 1259**  
**Bluefield, WV 24701**

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

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/09/2010				

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

LINE	QUANTITY	UOP	UNIT	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1.D, 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.</p> <p>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.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR RALEIGH COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 304-323-1996	DATE 10/26/10
TITLE President	FEIN 52-1944474	ADDRESS CHANGES TO BE NOTED ABOVE

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4

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CHUCK BOWMAN  
304-558-2157

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DCI / Shires, Inc.  
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Bluefield, WV 24701  
067135934

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25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FRIGHT TERMS
09/09/2010				

BID OPENING DATE:	10/21/2010	BID OPENING TIME	01:30PM
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LINE	QUANTITY	UOP	UNIT PRICE	AMOUNT
<p>OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A 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.</p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>*****</p> <p>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</p>				

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304 323 1996	10/26/10
TITLE	FAX	ADDRESS CHANGES TO BE NOTED ABOVE
President	54 194 4474	

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**DEP15178**

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ADDRESS FOR CORRESPONDENCE  
**CHUCK BOWMAN  
304-558-2157**

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**DCI / Shires, Inc.  
P. O. Box 1259  
Bluefield, WV 24701**

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

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DATE PRINTED	TERMS OF SALE	SHIP VIA	FCB	FREIGHT TERMS
09/09/2010				
BID OPENING DATE: 10/21/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	DAY	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML CONTRACTOR. THIS IS A REQUIREMENT UNDER 30 CFR 874.16. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.GOV</p> <p>*****</p> <p>CONTRACTORS LICENSE</p> <p>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 LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305, PH. 304-558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: ..... DCI / Shires, Inc. ....</p> <p>CONTRACTORS LICENSE #: ..... WV.V.030690 ..... </p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES &amp; REGULATIONS, AND THE INFORMATION PROVIDED IN THE 'REQUEST FOR QUOTATION' ISSUED BY THE PURCHASING</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 304-323-1994	DATE 10/26/10
TITLE President	FEIN 541944474	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>(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:                      (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY 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>						

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SIGNATURE <i>[Signature]</i>	TELEPHONE 504 323 1996	DATE 10/26/10
TITLE President	FAX 504 194 4474	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE.</p> <p>(C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT.</p> <p>(D) GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN.</p> <p>(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</p> <p>(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.</p> <p>(5) TECHNICAL SPECIFICATIONS:                      ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "DUNLOUP CREEK COMPLEX" PROJECT.                      PLANS &amp; 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</p>				

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SIGNATURE *[Signature]* TELEPHONE 304 323 1996 DATE 10/26/10  
 TITLE President FEIN 54 1944474 ADDRESS CHANGES TO BE NOTED ABOVE

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 CHARLESTON, WV  
 25304 304-926-0499

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	PO#	FARE/UNIT TERMS
09/09/2010				

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

LINE	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<p>COMPANY.</p> <p>(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.</p> <p>(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.</p> <p>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.</p> <p>REV. 1/2005</p> <p>PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS</p> <p>1. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED IN THIS CONTRACT,</p> <p>A. "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATIO</p>				

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *[Signature]* TELEPHONE 304 323-1996 DATE 10/26/10  
 TITLE President FEIN 54 1944477 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  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**Request for Quotation**

RFQ NUMBER
DEP15178

PAGE
9

ADDRESS OF RESPONDENT (BY MAIL ONLY)
CHUCK BOWMAN 304-558-2157

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**DCI / Shires, Inc.**  
 P. O. Box 1259  
 Bluefield, WV 24701

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

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	POB	FRONT TERMS
09/09/2010				
BID OPENING DATE: 10/21/2010		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<p>OF OR OTHER IMPROVEMENT TO ANY BUILDING OR STRUCTURE INCLUDING, BUT NOT LIMITED TO, ROADS OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001.</p> <p>B. "STEEL PRODUCTS" MEANS PRODUCTS ROLLED, FORMED, SHAPED, DRAWN, EXTRUDED, FORGED, CAST, FABRICATED OR OTHERWISE SIMILARLY PROCESSED, OR PROCESSED BY A COMBINATION OF TWO OR MORE OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS.</p> <p>C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.</p> <p>2. THE DIRECTOR OF THE PURCHASING DEPARTMENT MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:</p> <p>A. THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR,</p> <p>B. THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE</p>				

SIGNATURE <i>[Signature]</i>	TELEPHONE 304 3231996	DATE 10/26/10
TITLE President	FEIN 541944474	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia  
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**Request for Quotation**

DEPARTMENT  
 DEP15178

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 10

ADDRESS FOR CORRESPONDENCE ONLY  
 CHUCK BOWMAN  
 304-558-2157

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**DCI / Shires, Inc.**  
 P. O. Box 1259  
 Bluefield, WV 24701

ENVIRONMENTAL PROTECTION  
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 OFFICE OF AML&R  
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 25304 304-926-0499

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	FORM	FREIGHT TERMS
09/09/2010				

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

LINE	QUANTITY	UOF	QA NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS.</p> <p>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.</p> <p>REV. 10/01/01</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>[Signature]</i>	TELEPHONE 304 323 1996	DATE 10/26/10
TITLE President	FEIN 54 194 4474	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  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**Request for  
 Quotation**

BID NUMBER  
 DEP15178

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ADDRESS FOR RESPONSE TO ATTENTION OF  
 CHUCK BOWMAN  
 304-558-2157

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**DCI / Shires, Inc.**  
 P. O. Box 1259  
 Bluefield, WV 24701

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

069135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/09/2010				

BID OPENING DATE:	10/21/2010	BID OPENING TIME	01:30PM
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LINE	QUANTITY	UOP	UNIT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID 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.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA.</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304 323 1996	10/26/10
TITLE	ERIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	4 194 44-74	

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



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  
 DEP15178

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ADDRESS CORRESPONDENCE OR CONTACTANCE  
 CHUCK BOWMAN  
 304-558-2157

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**DCI / Shires, Inc.  
 P. O. Box 1259  
 Bluefield, WV 24701**

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

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/09/2010				

BID OPENING DATE:	10/21/2010	BID OPENING TIME	01:30PM
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LINE	QUANTITY	UOM	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>OPENING DATE ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>REQUISITION NO. .DEP15178...</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO M PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO. S:</p> <p>NO. 1 ✓..... 10/21/10</p> <p>NO. 2 ✓..... 10/19/10</p> <p>NO. 3 .....</p> <p>NO. 4 .....</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>[Signature]</i>	304 323 1996	10/26/10
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	54 1944474	

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





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

# Request for Quotation

ADDENDUM NUMBER  
DEP15178

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13

ADDRESS FOR CORRESPONDENCE TO A REVISION OF  
CHUCK BOWMAN  
304-558-2157

RFQ COPY  
TYPE NAME/ADDRESS HERE

**DCI / Shires, Inc.**  
P. O. Box 1259  
Bluefield, WV 24701

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

067135934

DATE PRINTED	TERMS OF SALE	SHIP VIA	FORM	FREIGHT TERMS
09/09/2010				

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

LINE	QUANTITY	JOB	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
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NO. 5

I 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.

*Kathleen*

SIGNATURE

DCI / Shires Inc

COMPANY

10/26/10

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:

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Kathleen</i>	TELEPHONE 304 3231996	DATE 10/26/10
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TITLE President	FEIN 541944474	ADDRESS CHANGES TO BE NOTED ABOVE
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WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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  
 DEP15178

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ADDRESS FOR CORRESPONDENCE OR ATTENTION OF  
 CHUCK BOWMAN  
 304-558-2157

RFQ COPY  
 TYPE NAME/ADDRESS HERE

**DCI / Shires, Inc.**  
 P. O. Box 1259  
 Bluefield, WV 24701

067135934

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

LINE	QUANTITY	UOM	CHK NO	ITEM NUMBER	UNIT PRICE	AMOUNT
SEALED BID						
BUYER:				CB-23		
RFQ. NO.:				DEP15178		
BID OPENING DATE:				10/21/2010 24		
BID OPENING TIME:				1:30 PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
				304-323-3037		
VENDOR SHOULD SUBMIT WITH THEIR BID THE CURRENT REMIT-TO ADDRESS TO BE USED FOR PAYMENT PROCESSING:						
				P.O. Box 1259 Bluefield, WV 24701		
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:						
				Robert Deeb President		

SIGNATURE: *[Signature]* TELEPHONE: 304 323 1996 DATE: 10/26/10  
 TITLE: President FAX: 304 19444-74 ADDRESS CHANGES TO BE NOTED ABOVE

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

# Dunloup Creek Complex

## DEP15178

### Contractor's Bid Sheet

Vendor Name: DCI/Shires Inc.

061135934

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

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1.1	LS	Mobilization & Demobilization (Lump Sum) (Cannot exceed 10% of the Total Amount Bid)	LS	\$ 43,200
2.1	LS	Construction Layout (Lump Sum) (Cannot exceed 5% of Total Amount Bid)	LS	\$ 20,000
3.1	LS	Quality Control (Lump Sum) (Cannot exceed 3% of Total Amount Bid)	LS	\$ 5,500
4.1	LS	Clearing and Grubbing (Lump Sum) (Cannot exceed 5% of Total Amount Bid)	LS	\$ 40,000
4.2	540 TONS	Roadway Restoration (Per Ton)	\$ 28.50	\$ 15,390
5.1	2,500 LF	Silt Fence (Per Linear Foot)	\$ 2.25	\$ 5,625
5.2	6,000 LF	Super Silt Fence (Per Linear Foot)	\$ 7.50	\$ 45,000
5.3	100 LF	Straw Bales (Per Linear Foot)	\$ 6.25	\$ 625
5.4	4 EA	Stone Check Dam (Per Each)	\$ 425	\$ 1,700
5.5	1 LS	Stabilized Construction Entrance (Per Lump Sum)	\$ 1,850	\$ 1,850
6.1	16 ACRE	Revegetation (Per Acre)	\$ 2,000	\$ 32,000
7.1	1395 LF	Type I Riprap Ditch (Per Linear Foot)	\$ 28.5	\$ 39,757.50
7.2	595 LF	Type II Grouted Riprap Ditch (Per Linear Foot)	\$ 76.5	\$ 45,517.50
7.3	770 LF	Type III Trapezoidal Riprap Ditch (Per Linear Foot)	\$ 58.50	\$ 45,045
7.4	710 LF	Type IV Trapezoidal Natural Stream Bed with Riprap Banks (Per Linear Foot)	\$ 130	\$ 92,300
7.5	1,220 LF	Type V Trapezoidal Natural Stream Bed with Riprap Banks (Per Linear Foot)	\$ 58.50	\$ 71,370
7.6	90 LF	Type VI Trapezoidal Riprap Ditch (Per Linear Foot)	\$ 70	\$ 6,300
7.7	1,020 LF	Type VII Grass Lined Ditch (Per Linear Foot)	\$ 10	\$ 10,200
7.8	100 LF	Underdrain (Per Linear Foot)	\$ 50	\$ 5,000
7.9	70 LF	24" HDPE Pipe Culvert (Per Linear Foot)	\$ 50	\$ 3,500
7.10	2 EA	Grouted Stone Headwall (Per Each)	\$ 1,750	\$ 3,500
7.11	955 LF	Stream Bank Protection (Per Linear Foot)	\$ 43.85	\$ 41,876.75
7.12	1 EA	Culvert Clean Out (Per Each)	\$ 850	\$ 850
8.1	38,000 CY	Unclassified Excavation (Per Cubic Yard)	\$ 4	\$ 152,000
8.2	10 ACRE	Soil Cover (Per Acre)	\$ 6,000	\$ 60,000
10.1	6 EA	Wet Mine Seal (Per Each)	\$ 7,000	\$ 42,000
10.2	10 EA	Dry Mine Seal (Per Each)	\$ 5,000	\$ 50,000
10.3	660 LF	Mine Seal Conveyance Pipe (Per Linear Foot)	\$ 24	\$ 15,840
10.4	20 BAGS	Soda Ash Briquettes (Per 50lb Bag)	\$ 40	\$ 800
<b>TOTAL</b>				<b>\$ 896,746.75</b>

OMB #1029-0119  
Expiration Date: 1/31/13

### AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer 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 874.16.

#### Part A: General Information

Business Name: DCI Shires, Inc Tax Payer ID No.: 54 194 4474  
Address: P.O. Box 12-59  
City: Bluefield State: WV Zip Code: 26010 Phone: 304 323 1994  
Fax No.: 304 323 3037 E-mail address: robert.deeb@dcishires.com

#### Part B: Legal Structure

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

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

I, Robert Deeb, have the express authority to certify that:  
(print name)

- 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.
- 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.
- 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.

10/26/10  
Date

Robert Deeb  
Signature

President  
Title

**IMPORTANT!** In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at <https://avss.osmre.gov>.

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DCI / Shires, Inc.  
P. O. Box 1259  
Bluefield, WV 24701

## Part D.

Contractor's Business Name: \_\_\_\_\_

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

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

Name	<u>Robert Deeb</u>	Position/Title	<u>President</u>
Address	<u>POBx 1259</u>	Telephone #	<u>304-323-1996</u>
	<u>Bluefield, WV 24701</u>	% of Ownership	<u>25%</u>
Begin Date:	<u>04-1999</u>	Ending Date:	<u>Present</u>
Name	<u>Timothy Shires</u>	Position/Title	<u>Vice-President</u>
Address	<u>POBx 1259</u>	Telephone #	<u>304-323-1996</u>
	<u>Bluefield, WV 24701</u>	% of Ownership	<u>25%</u>
Begin Date:	<u>04-1999</u>	Ending Date:	<u>Present</u>
Name	<u>Joyce Shires</u>	Position/Title	<u>Corp. Secretary</u>
Address	<u>POBx 1259</u>	Telephone #	<u>304-323-1996</u>
	<u>Bluefield WV 24701</u>	% of Ownership	<u>25%</u>
Begin Date:	<u>04-1999</u>	Ending Date:	<u>Present</u>
Name	<u>Cathy JS Deeb</u>	Position/Title	<u>Treasurer</u>
Address	<u>POBx 1259</u>	Telephone #	<u>304-323-1996</u>
	<u>Bluefield WV 24701</u>	% of Ownership	<u>25%</u>
Begin Date:	<u>04-1999</u>	Ending Date:	<u>Present</u>

## PAPERWORK REDUCTION STATEMENT

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

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

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

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, DCI Shires, Inc.  
of Bluefield WV, as Principal, and Erie Insurance  
of Erie Pennsylvania, a corporation organized and existing under the laws of the State of PA  
with its principal office in the City of Erie, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblgee, in the penal sum of 5 % of bid amount (\$ 5%) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
Project : CB 23 RFQ No. DEP 15178

**NOW THEREFORE,**

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

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

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

26 day of October, 2010.

Principal Corporate Seal

DCI Shires, Inc.

(Name of Principal)

By [Signature]

(Must be President or  
Vice President)

President

(Title)

Erie Insurance Property & Casualty

(Name of Surety)

Surety Corporate Seal

[Signature]  
Attorney-in-Fact

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



# POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ERIE INSURANCE COMPANY, a corporation duly organized under the laws of the Commonwealth of Pennsylvania, does hereby make, constitute and appoint

*David Dwayne Walker*

individually, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on his behalf, and as its act and deed: any and all bonds and undertakings of suretyship.

*In a penalty not to exceed the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00)*

And to bind the ERIE INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by the appropriate officer of the ERIE INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

The Power of Attorney is granted under and by authority of the following Resolution adopted by the Board of Directors of ERIE INSURANCE COMPANY at a meeting held on April 17, 2007, at which a quorum was presented and said Resolution has not been amended or repealed:

"Resolved, that the President, or any Senior Vice President or Vice President shall have power and authority to: (a) Appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and, (b) To remove any such Attorney-in-Fact at any time and revoke the power and authority given to him; and

Resolved, that Attorney(s)-in-Fact shall have power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contract of indemnity and other writings obligatory in the nature thereof."

This Power of Attorney is signed and sealed by facsimiles under and by virtue of the following Resolution adopted by the Board of Directors of ERIE INSURANCE COMPANY at a meeting held on the 17th day of April, 2007, at which a quorum was present and said Resolution has not been amended or repealed:

"Resolved, that the signature of Jeffrey A. Ludrol, as President and Chief Executive Officer of the Company, and the Seal of the Company may be affixed by the following facsimiles on any Limited Power of Attorney for the execution of bonds, undertakings, recognizances, contracts and other writings in the nature thereof, and the signature of James J. Tanous, as Secretary of the Company, and the Seal of the Company may also be affixed by the following facsimiles to any certificate of any such Limited Power of Attorney and only under such circumstances, shall said facsimiles be valid and binding on the Company."

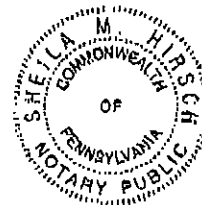
IN WITNESS WHEREOF, the ERIE INSURANCE COMPANY has caused these presents to be signed by its President and Chief Executive Officer, and its corporate seal to be hereto affixed this 17th day of April, 2007.



*Jeffrey A. Ludrol*  
Jeffrey A. Ludrol  
President and Chief Executive Officer

STATE OF PENNSYLVANIA } ss.  
COUNTY OF ERIE

On this 17th day of April, A.D. 2007, before me personally came Jeffrey A. Ludrol, to me known, who being by me duly sworn, did depose and say: that he is President and Chief Executive Officer of ERIE INSURANCE COMPANY, the corporation described in and which executed the above instrument: that he knows the Seal of said corporation: that the Seal affixed to the said instrument is such corporate Seal: that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



*Shirley M. Hirsch*  
My commission expires June 27, 2008  
Notary Public

### CERTIFICATE

I, James J. Tanous, as Secretary of the ERIE INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a full, true and correct copy, is still in full force and effect as of the date below.

In witness whereof, I have hereunto subscribed my name and affixed corporate Seal of the Company by facsimiles pursuant to the action of the Board of Directors of the Company.



*James J. Tanous*  
James J. Tanous, Secretary

this 26 day of Oct 20 10



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

STATE OF WV  
COUNTY OF Mercer, TO-WIT:

I, Joyce R Shires, after being first duly sworn, depose and state as follows:

- 1. I am an employee of DCI Shires Inc; and,  
(Company Name)
- 2. I do hereby attest that DCI Shires Inc  
(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.

DCI Shires Inc  
(Company Name)

By: Joyce R Shires  
Title: VP, Admin.  
Date: 10/26/10

Taken, subscribed and sworn to before me this 26th day of October, 2010

By Commission expires 09-21-2014

(Seal) OFFICIAL SEAL  
NOTARY PUBLIC  
STATE OF WEST VIRGINIA  
LINDA G. MERE...  
618 PARKWAY  
BLUEFIELD, WV 26004  
My commission expires Sep. 21, 2014  
Linda G. Meredith  
(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.**



RFQ No. DEP15178

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt 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 the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

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

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

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

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: DCI Shires, Inc

Authorized Signature: [Signature] Date: 10/26/10

State of WV

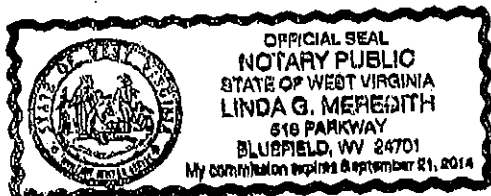
County of Mercer, to-wit:

Taken, subscribed, and sworn to before me this 26th day of October, 2010

My Commission expires 09-21-2014, 20  

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]



# CONTRACTOR LICENSE

Authorized by the

## West Virginia Contractor Licensing Board

**Number:** WV030698

**Classification:**

ELECTRICAL  
GENERAL BUILDING  
RESIDENTIAL

DCI SHIRES INC  
DBA CONTEMPORARY BUILDERS  
PO BOX 1259  
BLUEFIELD, WV 24701

**Date Issued**

**Expiration Date**

FEBRUARY 09, 2010 FEBRUARY 09, 2011



Authorized Company Signature



Chair, West Virginia Contractor  
Licensing Board

# WEST VIRGINIA CONTRACTOR LICENSING BOARD

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

