



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 |
| DEP15547 |

| |
|------|
| PAGE |
| 1 |

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

| |
|--|
| RFQ COPY |
| TYPE NAME/ADDRESS HERE |
| <i>Eastern Tank & Utility Services Inc</i> |
| <i>145 Kritlane</i> |
| <i>Arinceton WV 24740</i> |

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

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 08/25/2011 | | | | |

BID OPENING DATE: 10/20/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|-----------|
| 0001 | 1 | JB | | 962-73 | | \$350,003 |
| <p>RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE 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 4-ACRE ABANDONED MINE PROJECT KNOWN AS THE "COALDALE MOUNTAIN REFUSE PILE" PROJECT LOCATED NEAR COALDALE, WEST VIRGINIA, (MCDOWELL CO.).</p> <p>A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 09/15/11 @ 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 AVAIL/ABLE 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 304-325-6754 | DATE 10-19-11 | |
| TITLE President | FEIN 542088007 | 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
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 Charleston, WV 25305-0130

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| PAGE |
| 2 |

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

| | |
|--------|--|
| VENDOR | RFQ COPY TYPE NAME/ADDRESS HERE |
| | Eastern Tank & Utility Services Inc 145 Krit Lane Princeton WV 24740 |

| | | |
|---------|---|--------------|
| SHIP TO | 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 | F.O.B. | FREIGHT TERMS |
| 08/25/2011 | | | | |

BID OPENING DATE: 10/20/2011 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | 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 MORE THAN 15 MINUTES AFTER THE BEGINNING OF THE PREBID WILL NOT BE PERMITTED TO SIGN IN OR PARTICIPATE.</p> <p>DIRECTIONS TO PREBID:</p> <p>TRAVEL NORTH ON RT. 52 TOWARDS WELCH. BETWEEN THE SMALL COMMUNITIES OF COALDALE AND MAYBEURY, TAKE SIMMONS MOUNTAIN ROAD 52/40 TO THE RIGHT. TRAVEL THIS ROAD FOR APPROXIMATELY 1/4 MILE, TAKE THE NEXT RIGHT. FOLLOW THIS ROAD FOR APPROXIMATELY 1/2 MILE TO THE SITE. THE STRUCTURES ARE ON THE LEFT AND RIGHT SIDES OF THE ROAD. THE REFUSE PILE AND COLLAPSED DRAINING PORTAL ARE ON THE LEFT.</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304, PH. 304-926-0485 UPON PAYMENT OF \$20.00 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 AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST</p> | | | | | | |

| | | | |
|---|---------------------------|-----------------------------------|--|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS | | | |
| SIGNATURE <i>Reddy</i> | TELEPHONE 304-325-6754 | DATE 10-19-11 | |
| TITLE President | FEIN 542088007 | ADDRESS CHANGES TO BE NOTED ABOVE | |

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

Coaldale Mountain Refuse Pile
DEP15547
Contractor's Bid Sheet

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

| ITEM NO. | QUANTITY | DESCRIPTION | UNIT PRICE | AMOUNT |
|--------------|----------|--|----------------------|-------------------|
| 1.0 | 1 | Mobilization & Traffic Control, per lump sum-Not to exceed 10% of total bid amount | \$ 30,000 | \$ 30,000 |
| 2.0 | 1 | Construction Survey Control, per lump sum-Not to exceed 5% of total bid amount | \$ 17,500 | \$ 17,500 |
| 3.0 | 1 | Quality Control-per lump sum-Not to exceed 3% of total bid amount | \$ 10,500 | \$ 10,500 |
| 4.0 | 1 | Site Preparation-per lump sum-Not to exceed 10% of total bid amount | \$ 35,000 | \$ 35,000 |
| 5.1 | 858 | Silt Fence-per linear foot | \$ 6 ⁰⁰ | \$ 5,148 |
| 5.2 | 17 | Rock Check Dam-per each | \$ 50 ⁰⁰ | \$ 850 |
| 5.3 | 2 | Gravel and Wire Mesh Temporary Drop Inlet Protection-per each | \$ 2500 | \$ 5000 |
| 5.4 | 100 | Diverslon Dike, per linear foot | \$ 10 ⁰⁰ | \$ 1000 |
| 5.5 | 38 | 9 inch Straw Wattle - per 25 ft length | \$ 100 ⁰⁰ | \$ 3800 |
| 6.0 | 4 | Revegetation-per acre | \$ 2000 | \$ 8000 |
| 7.1 | 523 | Rip Rap "Vee" Channel, D50 = 12", per linear foot | \$ 10 ⁰⁰ | \$ 5,230 |
| 7.2 | 229 | Rip Rap "Vee" Channel, D50 = 18", per linear foot | \$ 15 ⁰⁰ | \$ 3,435 |
| 7.3 | 60 | Rip Rap "Trap" Channel, D50 = 18", per linear foot | \$ 20 ⁰⁰ | \$ 1,200 |
| 7.4 | 2014 | Vegetated "Vee" Channel, per linear foot | \$ 10 ⁰⁰ | \$ 20,140 |
| 7.5 | 3 | Low Water Crossing-per each | \$ 5000 | \$ 15,000 |
| 7.6 | 10 | Splash Pad, per each | \$ 1000 | \$ 10,000 |
| 7.7 | 30 | 12 inch HDPE Pipe, per linear foot | \$ 10 | \$ 300 |
| 7.8 | 80 | 30 inch HDPE Pipe, per linear foot | \$ 30 | \$ 2400 |
| 7.9 | 2 | WVDOH Type "G" Inlet, per each | \$ 2000 | \$ 4000 |
| 9.0 | 6200 | Unclassified Excavation, per cubic yard | \$ 10 | \$ 62,000 |
| 10.0 | 2900 | Soil Cover, per cubic yard (approx. = 1 ft cover over 1.8 acres) | \$ 5 ⁰⁰ | \$ 14,500 |
| 11.1 | 9 | Wet/Modified Mine Seal, per each | \$ 10,000 | \$ 90,000 |
| 11.2 | 50 | Soda Ash Briquettes (50 lb bag), per each | \$ 100 | \$ 5000 |
| TOTAL | | | | \$ 350,003 |

ARTICLE III - GENERAL CONDITIONS

1.0 ENUMERATION OF CONTRACT DOCUMENTS

1.1 Drawings

Construction drawings number twenty three (23) sheets for the reclamation of the Coaldale Mountain Refuse Pile project as prepared by Triad Engineering, Inc. of Scott Depot, for the West Virginia Department of Environmental Protection, Office of Abandoned Mine Lands and Reclamation, 601 57th Street, SE, Charleston, West Virginia 25304-2345, Telephone (304) 926-0485.

1.2 Specifications

See Index

1.3 Addenda

| | |
|--------------|---------------------------|
| No. <u>1</u> | Date <u>Oct. 1st 2011</u> |
| No. _____ | Date _____ |
| No. _____ | Date _____ |
| No. _____ | Date _____ |

2.0 CORRELATION OF DOCUMENTS

- 2.1 The intent of the contract documents is to include all labor, materials, equipment, operations and transportation necessary for the proper execution and completion of the work. The contract documents are complementary and what is required by one is required by all.
- 2.2 The Contractor shall carefully study and compare the contract documents and shall at once report to DEP any error, inconsistency or omission it may discover. Contractor shall not proceed with the work affected by such error, inconsistency, or omission until resolved to the satisfaction of itself and DEP.
- 2.3 The drawings and specifications are correlative and shall be accepted and used as a whole and not separately. Should any item be omitted from the drawings and be included in the specifications, and be required to complete the work under the contract, it shall be executed as if shown on both and contained in both; except that it is not intended that items or work not applicable or required be provided unless it is consistent therewith and reasonably inferable therefrom as being necessary to produce the intended results.
- 2.4 In case of disagreement or conflict between drawings and specifications, or inconsistencies, errors, or if omissions be discovered in the drawings and specifications, or if in any part the meaning of either or both shall be considered obscure or uncertain, the Director or his/her authorized

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: Eastern Tanks Utility Services Inc Tax Payer ID No.: 542088007
Address: 145 Krit Lane
City: Princeton State: WV Zip Code: 24740 Phone: 304-325-6754
Fax No.: 304-324-8692 E-mail address: eastertank@frontier.net

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, Diana Taylor, 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.

10-19-11
Date

Diana Marie Taylor
Signature

Vice 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>.

ARTICLE II - BIDDING INFORMATION

9.0 ADDENDA & INTERPRETATIONS

- 9.1 No interpretation of the meaning of the plans, drawings, specifications or other pre-bid documents will be made to any bidder orally.
- 9.2 All addenda will be issued by the State Purchasing Division in writing to attendees of the mandatory Pre-Bid Conference. The changes contained therein are the only binding changes to the plans and/or specifications of this project.

10.0 CONDITIONS OF WORK

Each bidder must inspect the conditions relating to the project and the employment of labor thereon. Failure to do so will not relieve the successful bidder of any obligation to furnish all material and labor necessary to carry out the provisions of the contract. Insofar as possible, the Contractor in carrying out its work must employ such methods or means as will not cause any interruption of or interference with the work of any other contractor.

11.0 OBLIGATIONS OF BIDDERS

At the time of the opening of bids, each bidder will have inspected the project job site, and will have read and will be thoroughly familiarized with all of the contract documents, including addenda. The failure or omission of any bidder to examine any form, instrument or document shall in no way relieve any bidder of any obligation with respect to its bid.

12.0 METHOD OF AWARD

The contract shall be awarded to the lowest responsible bidder, in accordance with West Virginia Code Section 5A-3-14.



U.S. Department of the Interior Office of Surface Mining
Applicant/Violator System

[Click for the Office of Surface Mining Website](#)

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Home ▶ ENTITY ▶ APPLICATION ▶ PERMIT ▶ VIOLATION ▶ REPORTS ▶

[HOME](#) > ENTITY PAGE

Entity Number: 249535

Show Results: 10

Entity Name: Eastern
Tank & Utility Services
Inc

Find By Entity #, Bus. Name, Last Name Fast 249535

* **First Name:**

| <u>Entity#</u> | <u>EName</u> | <u>EName</u> | <u>Middle</u> | <u>LCK</u> | <u>EType</u> | |
|----------------|-------------------------------------|--------------|---------------|------------|--------------|------------------------|
| 249535 | Eastern Tank & Utility Services Inc | | | N | Business | Select |

Middle Name:

Alias:

Tax ID:

Memo:

Created: 9/15/2009

Updated: 9/15/2009

Source: linda.keene

Entity Type: Business

Locked: N

[Addresses](#) [Relationships](#) [Applications](#) [Permits](#) [Comments](#)

| Parent | Entity | SubEntity | | | Desc. | % Own | begin | End | Hold | HoldSrc | Create | Update | ExtDesc | By |
|--------|-------------------------------------|-----------|--------|-------|----------------|----------|-----------|-----|------|---------|------------|------------|---------|-------------|
| 249535 | Eastern Tank & Utility Services Inc | 147201 | Taylor | Teddy | President | 0 | 9/15/2009 | | None | | 9/15/2009 | 10/25/2010 | | linda.keene |
| 249535 | Eastern Tank & Utility Services Inc | 147201 | Taylor | Teddy | Secretary | 0 | 9/15/2009 | | None | | 9/15/2009 | 10/25/2010 | | linda.keene |
| 249535 | Eastern Tank & Utility Services Inc | 147201 | Taylor | Teddy | Shareholder | 90 | 9/15/2009 | | None | | 10/25/2010 | 10/25/2010 | | linda.keene |
| 249535 | Eastern Tank & Utility Services Inc | 249536 | Taylor | Diana | Shareholder | 10 | 9/15/2009 | | None | | 10/25/2010 | 10/25/2010 | | linda.keene |
| 249535 | Eastern Tank & Utility Services Inc | 249536 | Taylor | Diana | Vice President | 0 | 9/15/2009 | | None | | 9/15/2009 | 10/25/2010 | | linda.keene |
| 249535 | Eastern Tank & Utility Services Inc | 249536 | Taylor | Diana | Treasurer | 0 | 9/15/2009 | | None | | 9/15/2009 | 10/25/2010 | | linda.keene |

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
CONSTRUCTION CONTRACTOR'S
MINORITY, WOMEN'S AND SMALL BUSINESS
AFFIRMATIVE ACTION CERTIFICATION

We, Eastern Tank+Utility Services, Inc., the undersigned, Construction Contractor on the Abandoned Mine Lands & Reclamation construction contract herein, intending to sub-contract a part of our contract work under Requisition No. SEP 15547, hereby certify as follows:

- 1) We will include qualified small, minority and women's businesses on solicitation lists;
- 2) We will assure that small, minority and women's businesses are solicited whenever they are potential sources;
- 3) We will, when economically feasible, divide total requirements into smaller tasks or quantities so as to permit maximum small, minority and women's business participation.
- 4) Where our requirements permit, we will establish delivery schedules which will encourage participation by small, minority and women's businesses.
- 5) We will utilize the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce and the Community Services Administration as required.

We understand that we may obtain the information required under the foregoing provisions from the Governor's Office of Community & Industrial Development's Small Business Development Center, 1115 Virginia Street, East, Charleston, West Virginia 25301, Phone 304/348-2960.

- 6) We will submit this certification to the Construction Supervisor when we submit proposed subcontractors for approval.
- 7) We agree that all documentation relative to affirmative action taken by us to seek out and consider the use of minority, women's and small business enterprises as subcontractors shall be made available for inspection by representatives of the West Virginia Department of Environmental Protection and the U.S. Office of Surface Mining Reclamation and Enforcement;
- 8) This certification is an integral part of our proposal for the construction contract.

Signed this 19 day of October, 2011.



Signature of Authorized Representative

President

Title

ARTICLE V - SPECIAL CONDITIONS

2.0 EROSION & SEDIMENT CONTROL

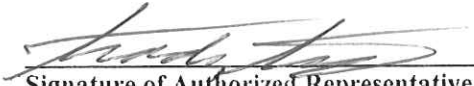
The manual entitled "West Virginia Department of Natural Resources Technical Handbook of Standards and Specifications for Erosion and Sediment Control", 1981, is incorporated herein by reference as a guide for erosion and sediment control, except that where any provision of said manual is in conflict with any special erosion and sediment control provision set out and contained in this specification book and/or in the plans for this project, the specification book and/or plans shall prevail and be followed.

ASSURANCE REQUIREMENT REGARDING EQUAL EMPLOYMENT OPPORTUNITY
FOR VENDORS, SUPPLIERS AND CONTRACTORS ENGAGED IN
COMMERCIAL TRANSACTIONS WITH
THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

We, Eastern Tank & Utility Services Inc, the undersigned, desiring to avail ourselves of the benefits of engaging in commercial transactions with the West Virginia Department of Environmental Protection, hereby agree that:

- 1) All employment and personnel practices under this contract, Requisition No. 15347, will be conducted without regard to race, sex, religion or national origin;
- 2) We will include in all recruitment advertisements the following wording:
"An Equal Opportunity Employer"; and
- 3) We will provide the Director of the Abandoned Mine Lands and Reclamation Division or his/her authorized representative, upon request, documentation that will enable him/her to judge the extent of our compliance with the requirements of Governor's Executive Order No. 4-65, of December 15, 1965.

Signed this 19 day of October, 2011.



Signature of Authorized Representative
President

Title

ARTICLE V - SPECIAL CONDITIONS

3.0 GOVERNMENT-WIDE DEBARMENT & SUSPENSION REQUIREMENTS

U. S. Department of the Interior

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Lower Tier Covered Transactions

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal, that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List (Tel.#).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.


U. S. Department of the Interior
Certification Regarding
Debarment, Suspension, Ineligibility and
Voluntary Exclusion
Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 43 CFR Part 12, Section 12.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). For assistance in obtaining a copy of the regulations, contact the U.S. Department of the Interior, Acquisition and Assistance Division, Office of Acquisition and Property Management, 18th and C Streets, N.W., Washington D.C. 20240.

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Teddy Taylor President
Name and Title of Authorized Representative

 10-19-11
Signature Date

ARTICLE V - SPECIAL CONDITIONS
Instructions for Certification Regarding Lobbying

1. This certification and a disclosure form should be filed by each person as required, with each submission that initiates agency consideration of such person for: (1) award of a Federal contract, grant, or cooperative agreement exceeding \$100,000 or (2) an award of a Federal loan or a commitment providing for the United States to insure or guarantee a loan exceeding \$150,000.
2. This certification and a disclosure form should be filed by each person as required, upon receipt by such person of (1) a Federal contract, grant, or cooperative agreement exceeding \$100,000, or (2) a Federal loan or a commitment providing for the United States to insure or guarantee a loan exceeding \$150,000, unless such person previously filed a certification, and a disclosure form, if required, at the time agency consideration was initiated.
3. Any person who requests or receives from a person referred to in paragraphs (1) and (2) above: (1) a subcontract exceeding \$100,000 at any tier under a Federal contract; (2) a subgrant, contract, or subcontract exceeding \$100,000 at any tier under a Federal grant; (3) a contract or subcontract exceeding \$100,000 at any tier under a Federal loan exceeding \$150,000; or (4) a contract or subcontract exceeding \$100,000 at any tier under a Federal cooperative agreement, shall file a certification, and a disclosure form, as required, to the next tier above.
4. All disclosure forms, but not certifications, shall be forwarded from tier to tier until received by the person referred to in paragraphs(1) or (2) above. That person shall forward all disclosure forms to the appropriate Bureau/Office within the Department of the Interior.
5. Any certification or disclosure form filed under paragraph (4) above shall be treated as a material representation of fact upon which all receiving tiers shall rely. All liability arising from an erroneous representation shall be borne solely by the tier filing that representation and shall not be shared by any tier to which the erroneous representation is forwarded. Submitting an erroneous certification or disclosure constitutes a failure to file the required certification or disclosure, respectively. If a person fails to file a required certification or disclosure, the United States may pursue all available remedies, including those authorized by Section 1352, title 31, U.S. Code.

U. S. Department of the Interior
CERTIFICATION REGARDING LOBBYING

This certification is required by Section 1352, title 31, U. S. Code, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions."

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. To obtain a Standard Form LLL, contact DEP or the U.S. Office of Surface Mining, 603 Morris Street, Charleston, WV 25301, phone number 347-7158.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature  Date 10-19-11

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Approved by OIG
13-8-0046

| | | |
|---|---|---|
| <p>1. Type of Federal Action:</p> <p><input type="checkbox"/> a. Contract</p> <p><input type="checkbox"/> b. Grant</p> <p><input type="checkbox"/> c. Cooperative agreement</p> <p><input type="checkbox"/> d. Loan</p> <p><input type="checkbox"/> e. Loan guarantee</p> <p><input type="checkbox"/> f. Loan insurance</p> | <p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a. Bid/Offer/Application</p> <p><input type="checkbox"/> b. Initial Award</p> <p><input type="checkbox"/> c. Post-Award</p> | <p>3. Report Type:</p> <p><input type="checkbox"/> a. Initial Filing</p> <p><input type="checkbox"/> b. Material Change</p> <p>For Material Change Only:</p> <p>Year _____ Quarter _____</p> <p>Date of Last Report _____</p> |
|---|---|---|

| | |
|--|---|
| <p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee</p> <p style="padding-left: 40px;">Tier _____, if known:</p> <p>Congressional District, if known: _____</p> | <p>5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime:</p> <p>Congressional District, if known: _____</p> |
|--|---|

| | |
|--------------------------------------|--|
| <p>6. Federal Department/Agency:</p> | <p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable: _____</p> |
|--------------------------------------|--|

| | |
|--|---|
| <p>8. Federal Action Number, if known: _____</p> | <p>9. Award Amount, if known:</p> <p style="text-align: center;">\$ _____</p> |
|--|---|

| | |
|---|---|
| <p>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</p> | <p>b. Individuals Performing Services (including address if different from No. 10a.) (last name, first name, MI):</p> |
|---|---|

(attach Continuation Sheets SF-LLL-A, if necessary)

| | |
|---|---|
| <p>11. Amount of Payment (check all that apply):</p> <p>\$ _____ <input type="checkbox"/> Actual <input type="checkbox"/> Planned</p> | <p>13. Type of Payment (check all that apply):</p> <p><input type="checkbox"/> a. Retainer</p> <p><input type="checkbox"/> b. One-time fee</p> <p><input type="checkbox"/> c. Commission</p> <p><input type="checkbox"/> d. Contingent fee</p> <p><input type="checkbox"/> e. Deferred</p> <p><input type="checkbox"/> f. other; specify: _____</p> |
| <p>12. Form of Payment (check all that apply):</p> <p><input type="checkbox"/> a. cash</p> <p><input type="checkbox"/> b. in-kind; specify: nature _____</p> <p style="padding-left: 40px;">value _____</p> | |

14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employees, or Member(s) contracted, for Payment indicated in Item 11:

(attach Continuation Sheet(s) SF-LLL-A, if necessary)

15. Continuation Sheet(s) SF-LLL-A attached: Yes No

| | |
|--|--|
| <p>16. Information through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p> | <p>Signature: _____</p> <p>Print Name: _____</p> <p>Title: _____</p> <p>Telephone No: _____ Date: _____</p> |
|--|--|

THE AMERICAN INSTITUTE OF ARCHITECTS

Bond# 32301



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we **Eastern Tank & Utility Services Inc.**
(Here insert full name and address or legal title of Contractor)

145 Krit Lane
Princeton WV 24740

as Principal, hereinafter called the Principal, and **Companion Property and Casualty Insurance Company**
(Here insert full name and address or legal title of Surety)

18100 Jefferson Park Road #104
Middleburg Hts OH 44130

a corporation duly organized under the laws of the State of **South Carolina**

as Surety, hereinafter called the Surety, are held and firmly bound unto **WV Dept of Environmental Protection/ Office of Abandoned Mine Lands & Reclamation**

(Here insert full name and address or legal title of Owner)

601 57th Street SE
Charleston WV

as Obligee, hereinafter called the Obligee, in the sum of **Five Percent of Amount Bid Not to Exceed Nineteen Thousand Two Hundred Fifty and no/100**

Dollars(\$19,250.00

), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for **Mine Reclamation (Coledale, WV)**

(Here insert full name, address and description of project)

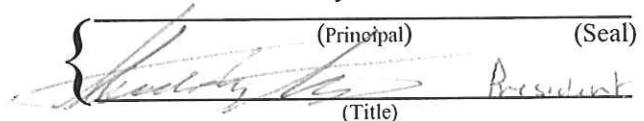
NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **20th** day of **October** 2011




(Witness)

Eastern Tank & Utility Services Inc.

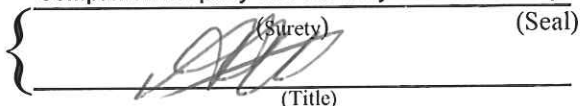


(Principal) (Seal)
(Title) *President*



(Witness)

Companion Property and Casualty Insurance Company



(Surety) (Seal)
(Title)

Andrew C. Heaner, Attorney-in-Fact



COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY

P.O. Box 100165 (29202)
51 Clemson Road
Columbia, SC 29229

GENERAL POWER OF ATTORNEY

Know all men by these Presents, that the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY had made, Constituted and appointed, and by these presents does make, Constitute and appoint Andrew C. Heaner of Atlanta, Georgia; Richard L. Shanahan of Atlanta, Georgia; Stefan E. Tauger of Parker, Colorado; Arthur S. Johnson of Atlanta, Georgia; Martha G. Ross of Charlotte, North Carolina; James E. Feldner of West Lake, Ohio; Jeffery L. Booth of Parma, Ohio; Cheryl L. Torrao of Lutz, Florida; Melanie J. Stokes of Atlanta, Georgia; Garry W. Black of Murfreesboro, Tennessee; David R. Brett of Columbia, South Carolina; Donald J. Kersey of Birmingham, Alabama; Diane L. McLain of Fitchburg, Wisconsin; Julie Klinner of Birmingham, Alabama; Brian A. O'Neal of Parker, Colorado; Jason S. Centrella of Jacksonville, Florida; Kelley E.M. Nys of Decatur, Georgia; Michael K. Thompson of Atlanta, GA; or Brian Clark of Charlotte, North Carolina, EACH as its true and lawful attorney for it and its name, place and stead to execute on behalf of the said company, as surety, bonds, undertakings and contracts of suretyship to be given to all obligees provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount of the sum of **\$1,000,000 (One Million Dollars)** including but not limited to consents of surety for the release of retained percentages and / or final estimates on construction contracts or similar authority requested by the Department of Transportation, State of Florida and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of the presents, shall be binding upon the Company as if they had been duly signed by the president and attested by any officer of the company in their own proper persons.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted pursuant to due authorization by the Executive Committee of the Board of Directors of the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY on the 24th day of December, 2003.

RESOLVED, that the Chairman, President or any Vice President of the Company be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY bonds, undertakings and all contracts of suretyship; and that any Officer, Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future, with respect to any bond undertaking or contract of suretyship to which it is attached.

In Witness Whereof, the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY has caused its official seal to be hereto affixed, and these presents to be signed by its President and attested by its Vice President this 4th day of AUGUST, 2011.

Attest:

[Signature]
Kevin M. Elmore, Assistant Vice President

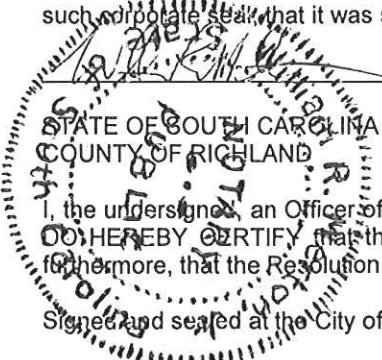
COMPANION PROPERTY AND CASUALTY
INSURANCE COMPANY

By: [Signature]
Judith M. Davis, Executive Vice President

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

On this 6th day of August, 2011, before me personally came Judith M. Davis to me known, who being by me duly sworn, did depose and say that she resides in Columbia, in the County of Richland, State of SC, at Columbia; that she is the Executive Vice President of COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY, the corporation described in and which executed the above instrument; that she knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal, that it was so affixed and that she signed her name thereto pursuant to due authorization.

[Signature] Notary Public, State of SC, Qualified in Richland County Commission Expires: MAY 25, 2015



I, the undersigned, an Officer of COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY, a South Carolina Corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and, furthermore, that the Resolution of the Executive Committee of the Board of Directors set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Columbia, Dated the 20th day of October, 2011.

[Signature]
Judith M. Davis, Executive Vice President

Companion Property & Casualty Insurance Company

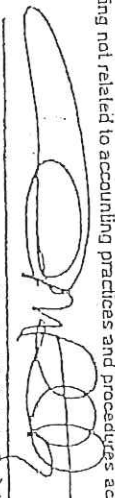
NAIC Company Code: 12157
 NAIC Group Code: 661
 Statutory Financial Statement
 As of December 31, 2008


| | <u>Assets</u> | | <u>Liabilities</u> |
|---|----------------|----------------|--------------------|
| Bonds: | \$ 232,645,846 | | |
| Stocks: | \$ 43,475,267 | | |
| Cash & Short-term Investments: | \$ 110,335,521 | | |
| Agent's Balances of Uncollected Reinsured Companies: | \$ 28,905,743 | | |
| Deferred Premiums & Commissions not yet due: | \$ 31,524,788 | | |
| Funds Held by, Due From with Reinsured Companies: | \$ 1,370,993 | | |
| Other Assets: | \$ 14,802,491 | | |
| | \$ 0 | | |
| Investment Income Due & Accrued: | \$ 1,819,378 | | |
| Net Deferred Tax Asset: | \$ 8,106,693 | | |
| Guaranty Funds Receivable on Deposit: | \$ 4,981,510 | | |
| Electronic Data Processing Equipment: | \$ 76,777 | | |
| Receivables from Parent, Subsidiaries: | \$ 15,596,561 | | |
| Aggregate Write-ins for Other than Invested Assets: | \$ 14,866,541 | | |
| Total Admitted Assets: | \$ 506,569,048 | | |
| | | | |
| Reserve for: | | | |
| a) Losses & LAE: | | \$ 179,060,761 | |
| b) Unearned Premiums: | | \$ 65,826,408 | |
| c) Expenses, Tax, Licenses & Fees: | | \$ 19,274,247 | |
| d) Reinsurance Payables: | | \$ 6,393,943 | |
| e) Payables to Parent, Subsidiaries, & Affiliates: | | \$ 20,137,470 | |
| f) Advanced Premiums: | | \$ 927,511 | |
| g) Other Liabilities: | | \$ 36,471,768 | |
| Total Liabilities: | | \$ 327,092,119 | |
| | | | |
| Capital Stock: | | \$ 4,200,000 | |
| Gross Paid-in & Contributed Surplus: | | \$ 109,369,432 | |
| Unassigned Funds: | | \$ 65,917,179 | |
| Total Policyholder Surplus: | | \$ 179,486,611 | |
| Total Liabilities & Policyholder Surplus: | | \$ 506,569,048 | |

Notes: Bonds & Stocks are valued in accordance with the basis adopted by the NAIC.

Certification: The Officers of this reporting entity being duly sworn, each depose and say that they are the described officers of said reporting entity, and that on the reporting period stated above, all herindescribed assets were the absolute property of the said reporting entity, free and clear from any liens or claims thereon, except as herein stated, and that this statement, together with related exhibits, schedules and explanations therein contained, annexed or referred to, is a full and true statement of all assets and liabilities and of the condition and affairs of the said reporting entity as of the reporting period stated above, and of its income and deductions therefrom for the period ended and have been completed in accordance with the NAIC Annual Statement Instructions and Accounting Practices and Procedures Manual except that 1) State Law may differ, or 2) that State rules or regulations require differences in reporting not related to accounting practices and procedures according to the best of their information, knowledge and belief, respectively.

Witness:
 State of South Carolina
 On this day of February, 2009
 before me, the undersigned authority, personally appeared Charles M. Polak, known to me to be the person whose name is subscribed to the foregoing statement, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.


 Charles M. Polak, President


 Curtis C. Stewart, VP & CFO