

VENDOR

RFQ COPY

P.O. Box 1290

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

## Request for

DEP15817

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ADDRESS:CORRESPONDENCE TO A RIGHTION OF

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R CHARLESTON, WV

TYPE NAME/ADDRESS HERE T 601 57TH STREET SE Pineville Paving & Excavating Inc. Pineville, WV 24874 304-926-0499 25304

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

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. 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.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.html and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

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

### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130 5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division,

is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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

## Request for Quotation

DEP15817

PAGE 2

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 304-558-8802

Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville , WV 24874

TYPE NAME/ADDRESS HERE

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 FREIGHT TERMS F.O.B. 03/22/2012 **BID OPENING DATE:** 05/16/2012 BID OPENING TIME 01:30PM CAT. QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER. ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE MORE THAN 15 MINUTES AFTER THE BEGINNING OF THE PREBID WILL NOT BE PERMITTED TO SIGN IN OR PARTICIPATE. DIRECTIONS TO PREBID: THE SITE IS LOCATED OFF OF HARPERS ROAD WV-3 (EXIT 44) EKIT OF THE WW TURNPIKE (INTERSTATE 64/77). PROCEED WEST APPROXIMATELY 24.8 MILES ON HARPERS ROAD (WV-3 BECOMES BOLT ROAD WV-99 UPON ENTERING WYOMING COUNTY) AND TURN LEFT ONTO KOPPERSTON WV-85. TRAVEL APPROX. 4.3 MILES ON WV-85 AND THE SITE IS LOCATED ON THE LEFT. CONTACT & PHONE #: MARK PROCTOR, 304-465-1910 PLANS & SPECS MAY BE OBTAINED BY THE FOLLOWING METHODS: BY REQUEST! ON CD FROM THE WV DEPT. OF ENVIRONMENTAL PROTECTION, OFFICE OF AML & R, WITH NO CHAGE TO THE CONTRACTOR FOR THE CD OR MAILING. CALL LAWRENCE BURGESS, PH. \$04-926-0499, EXT. 1668 OR 304-926-0485 TO ORDER CD. PLANS AND SPECIFICATIONS WILL BE MADE AVAILABLE, 2 ON CD, TO PRINT COMPANIES IN CHARLESTON CLARKSBURG, AND OTHER AREAS UPON REQUEST. \*\*\*\*\*THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE <u>304-732-8303</u> <u>5/15/2012</u> FEIN Secretary U ADDRESS CHANGES TO BE NOTED ABOVE 550709824



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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 FREIGHT TERMS FO.B 03/22/2012 BID OPENING DATE: 05/16/2012 BID OPENING TIME 01:30PM CAT LINE QUANTITY LIOP ITEM NUMBER UNIT PRICE **AMOUNT** PRINTING COSTS.\*\*\*\* EXHIBIT 5 WEST VIRGINIA CODE 21-10-5 PROVIDES THAT: ANY SOLICI-TATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLAINCE 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 VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-HREE WORKPLACE AFRIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID. NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 365 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR WYOMING COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.) ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE <u>304-732-8303</u> 5/15/2012 Secretary ADDRESS CHANGES TO BE NOTED ABOVE 550709824



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P.O. Box 1290

Pineville, WV 24874

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Pineville Paving & Excavating Inc.

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PAGE 4

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

25304 304-926-0499

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PAGE 5

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Pineville Pavi

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DATE PRINTED TERMS OF SALE

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CHARLESTON, WV
25304 304-926-0499

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OFFICE OF AML&R
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CHARLESTON, WV
25304 304-926-0499

DATE PRIN	TED	TER	IMS OF SAL	Ε	SHIP VIA		F.O.B.		FREIGHT TERMS
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### Request for Quotation

RFQ NUMBER DEP15817 9

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 804-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE

Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville, WV 24874

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

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P.O. Box 1290

Pineville, WV 24874

TYPE NAME/ADDRESS HERE

Pineville Paving & Excavating Inc.

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

## Request for a

RFQ NUMBER **DEP15817** 

PAGE 10

ADDRESS CORRESPONDENCE TO ATTENTION OF

**GUY NISBET** 304-558-8802

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

FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. 03/22/2012 BID OPENING DATE: 05/16/2012 BID OPENING TIME 01:30PM CAT. AMOUNT LINE QUANTITY YOP ITEM NUMBER UNIT PRICE PRODUCTS IF: 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, THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56. REV. 10/01/01 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE DATE SIGNATURE 304-732-8303 5/15/2012 Secretary ADDRESS CHANGES TO BE NOTED ABOVE 550709824



### Request for Quotation

RFQ NUMBER **DEP15817** 

PAGE 11

ADDRESS CORRESPONDENCE TO ATTENTION OF

**GUY NISBET** 304-558-8802

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RFQ COPY TYPE NAME/ADDRESS HERE

Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville , WV 24874

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

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## Request for Quotation

RFQ NUMBER
DEP15817

PAGE 12

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 304-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE

> Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville, WV 24874

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 03/22/2012 BID OPENING DATE: 05/16/2012 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES: 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 HURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDINDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED. THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID ANY ADDENDUM SHOULD BE RECEIVED BY THE HUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID **GPENING DATE.** 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 CRIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE REV. 11/96 EXHIBIT 10 REQUISITION NO.: .DEP15817... ADDENDUM ACKNOWLEDGEMENT HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO M SEE REVERSE SIDE FOR TERMS AND CONDITIONS 304-732**-**8303 5/15/2012 Secretary ADDRESS CHANGES TO BE NOTED ABOVE 550709824 WHEN RESPONDING TO RFQ. INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



### Request for Quotation

DEP15817

PAGE 13

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 304-558-8802

RFQ COPY
TYPE NAME/ADDRESS HERE
Pineville Paving & Excavating

Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville , WV 24874 ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

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

### Request for Quotation

SHIP VIA

DEP15817

PAGE 14

FREIGHT TERMS

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 304-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE

Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville , WV 24874

DATE PRINTED TERMS OF SALE

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

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Request for Quotation

DEP15817

PAGE 15

ADDRESS CORRESPONDENCE TO ATTENTION OF

**QUY NISBET** 304-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE

Pineville Paving & Excavating Inc. P.O. Box 1290 Pineville, WV 24874

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

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### John's Br. Coal Refuse Dam (Kopperston) DEP15817

DEP1581/ Contractor's Bid Sheet

Company N Pineville Paving & Excavating Inc. P.O. Box 1290
Address:\_ Pineville, WV 24874

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.	QUA	ANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	Ì	LS	Mobilization and Demobilization (Limited to 10% of Total Bid)		s 130,000.00
2.0	1	LS	Construction Layout Stakes (Limited to 5% of Total Bid)		\$ 65,000° €
3.0	1	LS	Quality Control (Limited to 3% of the Total Bid)		\$ 30,000,00
4.0	1	LS	Site Preparation (Limited to 10% of Total Bid)		\$ 130,000.00
5.1	1,800	LF	Silt Fence	1.00	s 1.800° 00
5.2	2,500	LF	Super Silt Fence	2.00	\$ 5,000,00
5,3	]	EA	Stabilized Construction Entrance	70,000.00	\$ 70 000.00
5.4	21,000	LF	Straw Wattles	1,00	\$ 21 000,00
5.5	16	EA	Rock Check Dams	1 000, ∞	\$ 16,000.00
5.6	1	EA	Sediment Traps	70,000,00	\$ 70,000.00
6.0	64	AC	Revegetation	3.000 ℃	\$ 128,000.00
7.1	1,300	LF	Type 1 - 6-foot Bottom, 2-foot Deep Grouted Riprap Channel	100,00	\$ 130,000,00
7.2	660	LF	Type 2 - 12-foot Bottom, 2-foot Deep Grass/Erosion Control Matting Lined Channel	25.00	s 16,500,00
7.3	900	LF	Type 3 - Grass/Erosion Control Matting-Lined V-Ditch	15.00	\$ 13,500.00
7.4	500	SY	End of Bench Lining	5,00	\$ 2,500,00
7.5	1	EA.	Drive-Through Channel	10,000,00	\$ 10,000, <u>@</u>
7.6	1	EA	Level Spreader	೩,೦೦೦,೮೨	s 3,000 ° <del>©</del>
8. I	175,000	CY	Unclassified Excavation	1.00	\$ 175,000.00
8.2	42	AC	Soil Cover	7,500,00	\$ 3/5,000,00
			TOTAL		7.33/ <b>3</b> 00,00

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: Pineville Paving & Excavating Tax Payer ID No.: 55  Address: Pobox 1290  City: Pineville State: WV Zip Code: 24874 Phone: 3  Fax No.: 304-732-7855 E-mail address: tony ff; a aol. com	50709824
City: Yineville State: WV Zip Code: 24874 Phone: 3  Fax No.: 304-732-7855 E-mail address: tony ff; a aol. com	<u>04- 732-8303</u> —
Part B: Legal Structure	
( Corporation ( ) Sole Proprietorship ( ) Partnership ( ) Other (please specify)	LLC
Part C: Certifying and updating information in the Applicant/Violator Sy Select only one of the following options, follow the instructions for that option	n, and sign below.
I, Anthony M. Pradford , have the express authority to cer (print name)	tify that:
Information on the attached Entity Organizational Family Tree (Olaccurate, complete, and up-to-date. If you select this option, you mu OFT from AVS to this form. Sign and date below and do not complete	ist attach an Entity
2. Part of the information on the attached Entity OFT from AVS is m and must be updated. If you select this option, you must attach an Er AVS to this form. Use Part D to provide the missing or corrected info and date below and complete Part D.	ntity OFT from
Our business currently has no information in AVS. If you select this provide all information required in Part D. Sign and date below and	
5/15/12 Arthony M. Bradfad Son	C. 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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11 4	1.
12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	

Contractor's Business Name:



If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. 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	Position/Title
Address	Telephone #
	% of Ownership
Begin Date:	P. B D-4
Name	Position/Title
Address	Talanhana #
	% of Ownership
Begin Date:	Pading Date.
Name	Position/Title
Address	Telephone #
	% of Ownership
Begin Date:	D. W. D.
Name	Position/Title
Address	Telephone #
	% of Ownership
Begin Date:	Ending Date:

#### PAPERWORK REDUCTION STATEMENT

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

Public reporting burden for this form is estimated to 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.



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

STATE OF West Virginia
COUNTY OF Wyoming , TO-WIT:
I, Anthony M. Bradford , after being first duly sworn, depose and state as follows:
1. I am an employee of fineville faving & Excavating Inc ; and, (Company Name)
2. I do hereby attest that Pineville Paving & Excavating Inc. (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with <b>West Virginia Code</b> §21-1D-5.
The above statements are sworn to under the penalty of perjury.
Timeville laving & Excavating Inc.  (Company Name)
COMPANY Name) STATE OF WEST VINCIMA
Katherine D. bradford  By: Anthry M. Bradford
Pineville, WV 26674  My Commission Exp. Feb. 20, 2016  Title: Sec.
Date: 5/15/12
Taken, subscribed and sworn to before me this 15th day of May 2012
By Commission expires Feb. 20, 2019
(Seal) Ratherine D. Bradford
(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.

Rev March 2009

RFQ No. DEP 15817

### 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 owed 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.

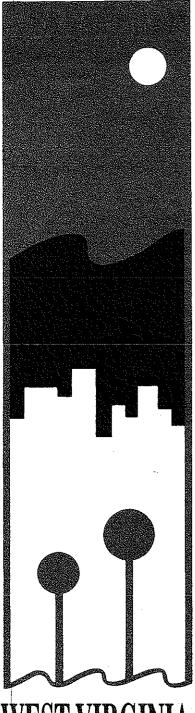
"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality 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 exceed 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: Pineville Paving & Exea	vating Inc.
Authorized Signature anthony M. Bradfed	Date: 5/15/12
State of West Virginia	
County of Wyoming, to-wit:	
Taken, subscribed, and sworn to before me this 15th d	ay of <u>May</u> , 2012.
My Commission expires <u>Feb. 20</u>	, 20 <u>L2</u> .
AFFIX SEAL HERE	NOTARY PUBLIC Latherine D. Bradford
STATE OF WEST VING	HILA E
Katherine D. Bradfo	

My Commission Exp. Feb. 20,



# WEST VIRGINIA CONTRACTOR LICENSING BOARD

# **CONTRACTOR LICENSE**

Authorized by the

West Virginia Contractor Licensing Board

Number:

WV010542

### Classification:

GENERAL BUILDING
GENERAL ENGINEERING
PIPING
RESIDENTIAL
SPECIALTY

PINEVILLE PAVING & EXCAVATING INC DBA PINEVILLE PAVING & EXCAVATING INC PO BOX 1290 PINEVILLE, WV 24874-1290

**Date Issued** 

**Expiration Date** 

AUGUST 30, 2011

AUGUST 30, 2012

Muthorized Company/Signature

Cha

Chair, 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.

Date: 4-May-2007

Applicant Violator System Time :15:4
Current Organizational Family Tree (OFT) Page: 1

Time :15:43:09

(147991) PINEVILLE PAVING & EXCAVATING INC

			Total	Number:	6
Entity ID	Name	Desc Code	Begin Date	End Date	Pct. Hold Own. Code
147992 BRADFORD, 147992 BRADFORD, 147993 BRADFORD,	TROY M	PRS SH VP	9-Aug-1991 9-Aug-1991 9-Aug-1991		60%
147993 BRADFORD, 147993 BRADFORD, 147994 BRADFORD,	KEVIN D ANTHONY M	SH SH SEC	9-Aug-1991 9-Aug-1991 1-Jul-2001	ء د س	20% 20%

Agency DEP	
REQ.P.O# DEP15817	_

### **BID BOND**

			ndersigned, <u>Pineville Paving 8</u>	ned, <u>Pineville Paving &amp; Excavating, Inc</u>		
	of PO Box 1290 Pinevi	<del></del> '	, as Principal, and	d Ohio Farmers Insurance Company		
	of One Park Circle Wes			ing under the laws of the State of		
<u>Ohio</u>	with its principal o	office in the City of Westfield C	<u>center</u> , as Surety, are h	eld and firmly bound unto the State		
		enal sum of <u>Five Percent</u>		) for the payment of which,		
well an	d truly to be made, we jointly	and severally bind ourselves, o	our heirs, administrators, executo	ors, successors and assigns.		
			s the Principal has submitted to			
Depart	ment of Administration a certa 5817, John's Branch Coal	ain bid or proposal, attached he Refuse Dam (Kopperston) i	reto and made a part hereof, to in Wyoming County, accordi	enter into a contract in writing for ing to plans and specifications.		
	NOW THEREFORE,					
agreem force ar	and shall turnish any other bo ent created by the acceptanc	epted and the Principal shall en nds and insurance required by e of said bid, then this obligation rstood and agreed that the liab	the bid or proposal, and shall in on shall be null and void, otherwi	e with the bid or proposal attached all other respects perform the ise this obligation shall remain in full claims hereunder shall, in no event,		
way imp waive n	The Surety, for the value re- paired or affected by any extention.	ceived, hereby stipulates and a nsion of the time within which ti	grees that the obligations of said he Obligee may accept such bid	d Surety and its bond shall be in no d, and said Surety does hereby		
	IN WITNESS WHEREOF, P	rincipal and Surety have hereu	into set their hands and seals, a	and such of them as are corporations		
have ca			presents to be signed by their pr			
<u>23rd</u>			·	,		
Principa	l Corporate Seal		By M/N Kevin Bradfon	& Excavating, Inc (Name of Principal) (Must be President or Vice President)		
			Vice President	(Title)		
Surety C	Corporate Seal		Ohio Farmers In	surance Company		
				(Name of Surety)		
			Ross E. Johnsor	Attorney-in-Fact		

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insufance. Corporate seals must be affixed, and a power of attorney must be attached.

General Power of Attorney

#### **CERTIFIED COPY**

# Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

Westfield Center, Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint

ROSS E. JOHNSON, H. RANDOLPH NEVILLE, PATRICK B. KEE, SHEILA D. MCCORMICK, JOINTLY OR SEVERALLY

of CHARLESTON and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as If signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this 25th day of AUGUST A.D., 2008.

Corporate Seals Affixed SEAL SEAL

State of Ohio
County of Medina ss.:

SEAL S

CHARTERO S 1848

WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OUR FARMERS (NELLBANGE COMPANY)

OHIO FARMERS INSURANCE COMPANY

Richard L. Kinnaird, Jr., Senior Executive

On this 25th day of AUGUST A.D., 2008, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed

State of Ohio County of Medina

SS.:



William J. Kahelin, Agorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 23rd day of April A.D., 2012







Frank A. Carrino, Secretary Secretary



\*311144600

PO BOX 1290

RT 10 SOUTH

PINEVILLE WV

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

PINEVILLE PAVING & EXCAVATING

24874

304-732-8303

### Request for Quotation

DEP15817

	'AGE
<i>:</i> ·	1

MADDRESSICORSESSONDENCESIO ATSIENTIONIOS

GUY NISBET 304-558-8802

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

DATE PRINTED TERMS OF SALE SHIP VIA FOR FREIGHT TERMS

04/24/2012

04/24/2012 BID OPENING DATE: 05/16/2012 BID OPENING TIME 01:30PM CAT LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT ADDENDUM NO.1 ADDENDUM FOR THE "JOHN'S BRANCH COAL REFUSE DAM (KOPPERSTON) " PROJECT IS TO DISTRIBUTE THE FOLLOWING INFORMATION ATTAINED FROM THE MANDATORY PRE-BID MEETING HELD: 04/17/2012. 1. QUESTIONS AND ANSWERS PRE-BID SIGN-IN SHEET BID OPENING DATE REMAINS: 05/16/2012 AT 1:30PM NO OTHER CHANGES. END OF ADDENDUM NO.1 0001 962-73 JB 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THIS IS THE END OF REO DEP15817 SEE REVERSE SIDE FOR TERMS AND CONDITIONS: TELEPHONE 31)4-732-8363 SIGNATURI FEIN ADDRESS CHANGES TO BE NOTED ABOVE 550709824

# DEP15817 John's Branch Coal Refuse Dam (Kopperston) Addendum # 1

Item 1: The contractor will have 180 days from the date of the Notice to Proceed to complete construction activities on the project. The \$250 per day liquidated damage clause will be in effect after the 180 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.

Item 2: Prior to any work around existing gas lines, the Contractor should coordinate with Penn Virginia (Mr. Harry Jewell @ 304-294-6767). Please also refer to Section 10 (Utilities) of the Specifications for additional information concerning utilities, including contact information, procedures, and method of measurement.

Item 3: The existing gravel/dirt road on site leads to the potential soil borrow areas. The road is used by gas company personnel, and must remain open, passable, and available for use during construction activities. The road must be left in an equal to or better than condition upon completion of construction. Please refer to Section 4.1.3 of the Specifications concerning treatment of existing roads.

Item 4: Contractor is responsible for cleaning/removing silt and debris from the existing channels. In general terms, this includes the removal of infiltrated/accumulated sediment, debris, refuse, leaves, rocks, etc. Acceptability will be determined/approved by the WVDEP Engineer. Care must be taken not to damage the existing grout or compromise the integrity of the existing drainage channels.

Item 5: In reference to particle size for soil borrow, satisfactory soil is considered to be reasonably free of subsoil, clay clumps, stones and other objects over three inches in diameter, and shall be free of objectionable material. Soil cover shall have a consistency sufficient to support vegetation. Material with excessive coarse particles will not be acceptable. Note: original specifications stated that no objects over four inches in diameter would be acceptable. Since only six inches (total) of soil cover is required, the four-inch dimension is reduced to three inches.

Item 6: Prospective bidders are not permitted to drill and/or excavate with motorized equipment for exploratory purposes, without prior approval from the property owner. Contact information is available from the WVDEP upon request.

Item 7: Contractor is reminded that all rock used on the project must comply with the parameters outlined in Section 7.0 of the Specifications. The required certifications, as specified in Section 7.0, must be submitted to, and approved by, the WVDEP prior to delivery, or prior to the use of on-site borrow areas.

Item 8: The re-grading plan has been designed to balance. Contractor will not be permitted to use refuse as backfill material to re-grade excavated borrow areas. Contractor must submit a reclamation plan for all soil borrow areas and obtain approval from the engineer, prior to disturbance of the borrow areas.

### Request for Proposal No. <u>DEP15817</u>

Date 04-17-12

### John's Branch Coal Refuse Dam (Kopperston)

### \*PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

### FIRM & REPRESENTATIVE NAME

### MAILING ADDRESS

### **TELEPHONE & FAX NUMBERS**

Carlo be		PHONE 301-50-6338
Company: Carey Concrete	The state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the state of the s	PHONE JO , DO
0 0 0 1 11		TOLL
Rep: Mike Stiltner		FREE
Email Address: Stere FCare Qyahor.com		FAX
Company: Cowais) Up Inc.	P.O. Box 243	PHONE 304-739-4317
,		TOLL
Rep: Brian Moore	Simpion, WV 26435	FREE NA
Email Address: DCE_cowsirlup@anthlink.net		FAX 304-739-4401
company: Pineville Paving & Excavating Inc	P.O. Box 1290	PHONE 304-732-8303
Rep: Tony Brootford	Pineville WV 24874	TOLL FREE
Email Address: Yonypoil AUL. com		FAX 304-732-7855
Company: GREEN MOUNTAIN COMPANY	511 50 th ST	PHONE 304 925025}
Rep: DAVIDH. BOWMAN	Challeston WU 25304	TOLL FREE
Email Address: DHB 7222 /4hov. Com		FAX 324 9259230
Company: Carpenter Redamedour		PHONE 364-784-1115
Rep: Bundy Caputer		TOLL
Email Address: Reorpenia, 2 gol. com		FAX 984-2770

### Request for Proposal No. <u>DEP15817</u>

Date

04-17-12

### John's Branch Coal Refuse Dam (Kopperston)

### \*PLEASE BE SURE TO PRINT LEGIBLY – IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME

**MAILING ADDRESS** 

**TELEPHONE & FAX NUMBERS** 

Company: Norgan Conp	PHONE 704-598-9117
	TOLL
Rep: JASON B Powens	FREE
Email Address: Spowers @ Morgan - Corp. com	FAX 704-598-9857 P
Company: F ASTETZA ATZZON 70 BOX 8104	PHONE 354-4,4-0255
REP: Ann HARDMANL CHARLESTON 25364	TOLL FREE
Email Address: easternarrow chatmail.com	FAX OZSC
Company: FOSTER SUPPLY	PHONE 334-553-6565
Rep: DERRICK SEARS	TOLL FREE <u>800 - 999 - 3<b>78</b>7</u>
Email Address: dseavs @ Fostersupply.com	FAX 304-755-9280
company: Aspen Corporation 2400 Ritter Drive	PHONE 304 - 763 -4573
Rep: Ashley Alkins Daniels W 25832	TOLL FREE
Email Address: jackins @aspen-golf. com	FAX 304-763-4591
Company: ATC Associate	PHONE 40/62627AD
Rep: Jay Cas rulho	TOLL FREE
Email Address: Day. Carvalho @ ATC ASSOCiates. com	FAX 609 386 49 795

### Request for Proposal No. <u>DEP15817</u>

Date

04-17-12

### John's Branch Coal Refuse Dam (Kopperston)

### \*PLEASE BE SURE TO PRINT LEGIBLY – IF POSSIBLE, LEAVE A BUSINESS CARD

### FIRM & REPRESENTATIVE NAME

**MAILING ADDRESS** 

**TELEPHONE & FAX NUMBERS** 

Company: Mc Court & Son Coast.	2790 Centralia Rd	PHONE 304 765-5288
Rep: Gary Long	Sutton WV 26601	TOLL FREE
Email Address: glong a wirefire.com		FAX 304-765-5293
Company: J.F. Allen Company.	Box 2049 Buckhannon WV26	20/PHONE 304-472.8890
Rep: Grea Miller		TOLL FREE
Email Address: ephares@ sfallen co. com		FAX 304-472-8897
Company:		PHONE
		TOLL FREE
Rep:	VA	
Email Address:		FAX
Company:		PHONE
Rep:		TOLL FREE
Email Address:		<u>FAX</u>
Company:		PHONE
		TOLL
Rep:		FREE
Email Address:		FAX