



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  
 DNRB12087

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 FRANK WHITTAKER  
 304-558-2316

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE  
 TRITON CONSTRUCTION, INC.  
 PO BOX 908  
 NITRO, WV 25143

SHIP TO

DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION  
 324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/14/2011				

BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	EA		968-42	\$1,499,200.00	\$1,499,200.00
GENERAL CONSTRUCTION  THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, IS SOLICITING BIDS FOR DAM MODIFICATIONS AT BERWIND LAKE WILDLIFE MANAGEMENT AREA, MCDOWELL COUNTY WEST VIRGINIA.  THIS IS AN EAST BOND FUNDED CAPITAL IMPROVEMENT PROJECT. PAYMENTS WILL BE MADE TO VENDORS BY THE BANK OF NEW YORK MELLON.  MANDATORY PRE-BID A MANDATORY PRE-BID WILL BE HELD ON 01/05/2012 AT 12:00 PM AT THE BERWIND LAKE WMA DAM, MCDOWELL CO. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.  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						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Anton A Anders</i>	TELEPHONE 304-755-1401	DATE FEBRUARY 15, 2012
TITLE Vice President	FEIN 27-2000626	ADDRESS CHANGES TO BE NOTED ABOVE

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

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

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. 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](http://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 unit to 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.

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### 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).

FORM OF PROPOSAL

Berwind Wildlife Management Area  
Berwind Dam Modification  
McDowell County, West Virginia

Page 1 of 4

Name of Bidder:

TRITON CONSTRUCTION, INC.

Address of Bidder:

PO BOX 908  
NITRO, WV 25143

Phone Number of Bidder:

304-755-1401

WV Contractors License No.

WV046687

We, the undersigned, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the general conditions to bidders, drawings, and specifications, hereby proposes to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding documents.

The Bidder is to summarize his bid prices below in both numbers and words for the Bid shown on the enclosed Bid Form. The Bidder will also complete the enclosed Bid Form in its entirety. The Bid Form includes both unit price and lump sum items.

**BID FORM SUMMARY**

**Bid:** Bid prices provided on the Bid Form include all labor, materials, and equipment as stipulated in the Bidding Documents.

Written in **numbers**.

\$ 1,499,200.00

**Bid:** Bid prices provided on the Bid Form include all labor, materials, and equipment as stipulated in the Bidding Documents.

Written in **words**.

One Million, Four Hundred Ninety-Nine  
Thousand, Two Hundred Dollars and No Cents

**FORM OF PROPOSAL**

Berwind Wildlife Management Area  
 Berwind Dam Modification  
 McDowell County, West Virginia

**BID FORM**

ITEM	DESCRIPTION	BID PRICES (\$)			
		QUANTITY	UNIT	UNIT PRICE (\$)	BID PRICE (\$)
1.05	Surveying (Max. 5% Contract Value)	1.0	LS	\$ 25,000.00	\$ 25,000.00
1.17	Quality Control (Max. 5% of Contract)	1.0	LS	\$ 65,000.00	\$ 65,000.00
2.01	Mob/Demob (Max. 10% of Contract Value)	1.0	LS	\$ 149,900.00	\$ 149,900.00
2.04.1	Unclassified Excavation	5680.0	CY	\$ 17.00	\$ 96,560.00
2.04.2	Hard Rock Excavation	5.0	CY	\$ 2,000.00	\$ 10,000.00
2.05	Demolition	1.0	LS	\$ 1,500.00	\$ 1,500.00
2.06	Reinforced Concrete	13.0	CY	\$ 1,200.00	\$ 15,600.00
2.08.1	Random Fill	1400.0	CY	\$ 40.00	\$ 56,000.00
2.08.2	Soil Fill	2100.0	CY	\$ 23.00	\$ 48,300.00
2.09	Coarse Filter	595.0	CY	\$ 100.00	\$ 59,500.00
2.10.1	Rip Rap	510.0	CY	\$ 55.00	\$ 28,050.00
2.10.2	Grouted Rip Rap	1335.0	CY	\$ 145.00	\$ 193,575.00
2.11	Erosion & Sediment Control	1.0	LS	\$ 22,500.00	\$ 22,500.00
2.12	Seeding, Fertilizing, & Mulching	1.0	LS	\$ 12,500.00	\$ 12,500.00
2.13	RCC	2530.0	CY	\$ 241.00	\$ 609,730.00
2.14.1	Slip Lining	133.0	LF	\$ 270.00	\$ 35,910.00
2.14.2	Drain Pipe Extension	43.0	LF	\$ 250.00	\$ 10,750.00
2.14.3	Principal Spillway Outlet Structure	1.0	LS	\$ 2,800.00	\$ 2,800.00
2.15	Dewatering & Water Control	1.0	LS	\$ 52,000.00	\$ 52,000.00
2.16	Crushed Stone Aggregate	35.0	CY	\$ 115.00	\$ 4,025.00
<b>TOTAL BID PRICE</b>				<b>\$ 1,499,200.00</b>	

FORM OF PROPOSAL

Berwind Wildlife Management Area  
Berwind Dam Modification  
McDowell County, West Virginia

Page 3 of 4

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The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Bidder that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within 180 consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the Owner liquidated damages in the amount of \$500 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Bidder's risk.

PROGRESS PAYMENTS - The CONTRACTOR will make current estimates in writing once each month on AIA Forms G702 and G703 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-2007 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.

FORM OF PROPOSAL

Berwind Wildlife Management Area  
Berwind Dam Modification  
McDowell County, West Virginia

ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum and have made the necessary revisions to my bid or proposal.

Addendum No.	Date
NO 1	1/23/2012

I understand that failure to confirm the receipt of the Addendum is cause for rejection of my bid or proposal.

Respectfully submitted:

Date:

FEBRUARY 15, 2012

WV Vendor  
Registration Number:

222160134

By: (signature in ink)

  
John M Farley, II

Title:

President

Firm Name:

TRITON CONSTRUCTION, INC.

Firm Address:

PO BOX 908  
NITRO, WV 25143



State of West Virginia  
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# Request for Quotation

RFO NUMBER  
 DNRB12087

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ADDRESS CORRESPONDENCE TO ATTENTION OF:  
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 25303-1228 304-558-3397

DATE PRINTED 12/14/2011	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL 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>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 01/11/2012. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>BIDDING DOCUMENTS CONSIST OF REQUEST FOR QUOTATION, PLANS AND SPECIFICATIONS.</p> <p>REQUEST FOR QUOTATION MAY BE OBTAINED BY CONTACTING:            FRANK WHITTAKER, SENIOR BUYER            WEST VIRGINIA PURCHASING DIVISION            2019 WHASINGTON STREET, EAST            CHARLESTON, WV 25305            TELEPHONE: 304-558-2316</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED BY CONTACTING:            CIVIL TECH ENGINEERING INC.            300A PRESTIGE DRIVE            HURRICANE, WV 25526            TELEPHONE: 304-757-8094</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-755-1401	DATE February 15, 2012
TITLE Vice President	FICN 27-2000626	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>THERE IS A NON-REFUNDABLE \$155.00 FEE FOR PLANS AND SPECIFICATIONS.</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 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 180 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 HERE IN.</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 MCDOWELL COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING</p>						

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<p>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 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 ACCEPCTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE</p>						

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				BOND, OR LABOR AND MATERIAL BOND. ( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS. FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED		

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<p>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 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 OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-755-1401	DATE February 15, 2012
TITLE Vice President	FEIN 27-2000626	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
DNRB12087

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7

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE  
 TRITON CONSTRUCTION, INC.  
 PO BOX 908  
 NITRO, WV 25143

SHIP TO

DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION  
 324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/14/2011				

BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE. (3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE. REV. 11/96 EXHIBIT 10 ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NOS.: NO. 1 .. 1/23/2012 ... NO. 2 ..... NO. 3 ..... NO. 4 ..... NO. 5 ..... I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH						

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12/14/2011				

BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.</p> <p>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.</p> <p>.....SIGNATURE            Anton A Anders, Vice President            TRITON CONSTRUCTION, INC.....COMPANY            .... February 15, 2012.....DATE</p> <p>REV. 11/96</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. TELEPHONE: (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.</p> <p>BIDDER TO COMPLETE:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	Anton A Anders	TELEPHONE 304-755-1401	DATE February 15, 2012
TITLE Vice President	FEIN 27-2000626	ADDRESS CHANGES TO BE NOTED ABOVE	

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State of West Virginia  
 Department of Administration  
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# Request for Quotation

RFQ NUMBER
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ADDRESS CORRESPONDENCE TO ATTENTION OF:
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/14/2011				

BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
CONTRACTORS NAME: TRITON CONSTRUCTION, INC..... CONTRACTORS LICENSE NO.: WV046687..... THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT APPLICABLE LAW THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT. 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. BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER. REV. 5/2009 NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE:	TELEPHONE: 304-755-1401	DATE: February 15, 2012
TITLE: Vice President	FEIN: 27-2000626	ADDRESS CHANGES TO BE NOTED ABOVE

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

RFO NUMBER
DNRB12087

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ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

VENDOR

RFQ COPY  
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 TRITON CONSTRUCTION, INC.  
 PO BOX 908  
 NITRO, WV 25143

SHIP TO

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 25303-1228 304-558-3397

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/14/2011				

BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				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:  SEALED BID  BUYER: 44 REQ. NO.: DNRB12087 BID OPENING DATE: 02/01/2012 BID OPENING TIME: 1:30 PM  PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- 304-755-1404 -----  PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: ----- Anton A Anders -----						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-755-1401	DATE February 15, 2012
TITLE Vice President	FEIN 27-2000626	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
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# Request for Quotation

RFQ NUMBER  
 DNRB12087

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ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 FRANK WHITTAKER  
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 TRITON CONSTRUCTION, INC.  
 PO BOX 908  
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DIVISION OF NATURAL RESOURCES  
 PARKS & RECREATION SECTION  
 324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397

DATE PRINTED 12/14/2011	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: 02/01/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ DNRB12087 ***** TOTAL:						<u>\$1,499,200.00</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-755-1401	DATE February 15, 2012
TITLE Vice President	FEIN 27-2000626	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
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# Request for Quotation

RFQ NUMBER  
 DNRB12087

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 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 FRANK WHITTAKER  
 304-558-2316

### RFQ COPY

VENDOR

TYPE NAME/ADDRESS HERE  
 TRITON CONSTRUCTION, INC.  
 PO BOX 908  
 NITRO, WV 25143

SHIP TO

DIVISION OF NATURAL RESOURCES  
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 324 4TH AVENUE  
 SOUTH CHARLESTON, WV  
 25303-1228 304-558-3397

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/23/2012				

BID OPENING DATE: 02/15/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				ADDENDUM ISSUED FOR THE FOLLOWING INFORMATION UPDATE.		
				1. TO EXTEND Q & A PERIOD TO: 2/01/2012 AT 4PM.		
				2. PROVIDE PRE-BID SIGN IN SHEET FROM: 1/05/2012 PRE-BID MEETING.		
				3. PROVIDE REVISED DRAWINGS: #08150-9 AND #08-120-10.		
				4. EXTEND BID OPENING DATE FROM: 2/01/2012 AT 1:30PM TO: 2/15/2012 AT 1:30PM		
				NO OTHER CHANGES.		
				END OF ADDENDUM NO. 1		
0001	1	EA		968-42	<del>1,499,200.00</del>	<del>1,499,200.00</del>
				GENERAL CONSTRUCTION		
				***** THIS IS THE END OF RFQ DNRB12087 *****		TOTAL: <u>1,499,200.00</u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 304-755-1401	DATE February 15, 2012
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**T** **RITON**  
**C O N S T R U C T I O N , I N C .**

**PO BOX 908 NITRO, WV 25143**  
**P (304) 755-1401 F (304) 755-1404**

February 15, 2012

State of West Virginia  
Division of Natural Resources  
Parks & Recreation Section  
324 4<sup>TH</sup> Avenue  
South Charleston, WV 25303-1228

RE: RFQ DNRB12087  
Berwind Dam Modification

To Whom It May Concern:

Triton Construction intends to utilize Gears, Inc. to produce the Roller Compacted Concrete for the referenced project with Mr. Brad Reid of Gears, Inc supervising producing and placing the Roller Compacted Concrete. Mr. Reid's project experience listing in attached.

Sincerely,



Tony Anders  
Vice President/Chief Engineer



357 Riverland Drive, Crested Butte, CO 81224, (970) 349-6151, Fax (970) 349-6625

3425 Astrozon Blvd., Colorado Springs, CO 80910, (719) 391-1144, Fax (719) 392-8859

January 16, 2011

BRAD REID  
3425 ASTROZON BLVD  
COLORADO SPRINGS, CO 80910

PERSONAL:

BIRTHDATE: JANUARY 16, 1961  
BIRTHPLACE: COLORADO SPRINGS, COLORADO

EDUCATION:

A.A. General studies - CMC LEADVILLE, COLORADO 1981  
B.S. Geology - WESTERN STATE COLLEGE, GUNNISON, CO 1983

WORK EXPERIENCE:

JUNE 1983 - PRESENT --GEARS, INC.  
ESTIMATOR, PROJECT SUPERVISOR  
RESPONSIBILITIES: BUSINESS DEVELOPMENT; ESTIMATING; PROJECT  
COORDINATOR; PROJECT SUPERVISOR; PLACEMENT ADVISOR;  
SITE COORDINATOR FOR PLANT OPERATIONS, CALIBRATION, DAILY PRODUCTION  
RECORDS AND PHYSICAL INVENTORIES.

NOTE: PROJECTS IN BOLD DENOTE R.C.C. PROJECTS

- PROJECT: **HIGHWAY 36 WASTE TREATMENT FACILITY**
- OWNER: BFI
- ENGINEER: MORRISON-KNUDSEN ENG., INC.
- CONSTRUCTION: JUNE 1988-DECEMBER 1989
- QUANTITY: 22,000 CY RCC, 15,000 CY SOIL CEMENT
  
- PROJECT: RAW WATER SLUDGE LAGOONS
- OWNER: CITY OF CORPUS CHRISTI, TX
- ENGINEER: BLACK AND VEATCH
- CONSTRUCTION: FEBRUARY-MAY 1989
- QUANTITY: 75,000 CY SOIL CEMENT
  
- PROJECT: RED DEER CREEK WATERSHED, SITE 14
- OWNER: US CORPS OF ENGINEERS
- ENGINEER: US CORPS OF ENGINEERS
- CONSTRUCTION: MAY 1989
- QUANTITY: 3,500 CY SOIL CEMENT



- PROJECT: STAGE II LITTLE SNAKE DIVERSION FACILITIES
- OWNER: CITY OF CHEYENNE, WY
- ENGINEER: WOODWARD CLYDE CONSULTANTS
- CONSTRUCTION: JULY 1989- SEPTEMBER 1990
- QUANTITY: 55,000 CY SOIL CEMENT
  
- PROJECT: FIRST AVENUE SEWER IMPROVEMENTS
- OWNER: PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT
- ENGINEER: JERRY LOONS & ASSOCIATES
- CONSTRUCTION: APRIL 1990
- QUANTITY: 18,000 CY SOIL CEMENT
  
- PROJECT: WESTERLY CREEK DAM
- OWNER: US AIR FORCE
- ENGINEER: US ARMY CORPS OF ENGINEERS
- CONSTRUCTION: OCTOBER 1990
- QUANTITY: 7,500 CY SOIL CEMENT
  
- PROJECT: **ASHTON DAM REHABILITATION**
- OWNER: PACIFIC POWER AND LIGHT
- ENGINEER: BLACK AND VEATCH
- CONSTRUCTION: JULY 1991
- QUANTITY: 7,500 CY RCC
  
- PROJECT: **GOOSE PASTURE DAM**
- OWNER: CITY OF BRECKENRIDGE
- ENGINEER: TIPTON AND KALMBACH
- CONSTRUCTION: SEPTEMBER 1991
- QUANTITY: 4,700 CY RCC
  
- PROJECT: **TOWN WASH DETENTION BASIN**
- OWNER: CITY OF MESQUITE
- ENGINEER: CH2M HILL
- CONSTRUCTION: SPRING 1992
- QUANTITY: 51,000 CY RCC
  
- PROJECT: TYLER WASTE NEUTRALIZATION
- OWNER: TYLER PIPE
- ENGINEER: TYLER PIPE
- CONSTRUCTION: MAY 1992
- QUANTITY: 3,500 CY NEUTRALIZED WASTE
  
- PROJECT: **FARADAY DAM**
- OWNER: PACIFIC GAS AND ELECTRIC
- ENGINEER: EBASCO SERVICES
- CONSTRUCTION: SUMMER 1992
- QUANTITY: 35,000 CY RCC



- PROJECT: DENVER INTERNATIONAL AIRPORT
- OWNER: CITY OF DENVER
- ENGINEER: CITY OF DENVER
- CONSTRUCTION: SUMMER/FALL 1992
- QUANTITY: 67,000 CY CTB
  
- PROJECT: **HORSETHIEF DAM REHABILITATION**
- OWNER: US FOREST SERVICE
- ENGINEER: US FOREST SERVICE
- CONSTRUCTION: OCTOBER 1992
- QUANTITY: 6,000 CY RCC
  
- PROJECT: RADIOACTIVE MATERIAL SOLIDIFICATION TEST SECTION
- OWNER: SHATTUCK CHEMICAL
- ENGINEER: EARTH SCIENCE CONSULTANTS
- CONSTRUCTION: 1993 & 1994
- QUANTITY: 15,000 CY STABILIZED MATERIAL
  
- PROJECT: KIMBALL LANDFILL
- OWNER: WASTE TECH SERVICES
- ENGINEER: WOODWARD CLYDE CONSULTANTS
- CONSTRUCTION: SPRING 1993
- QUANTITY: 20,000 CY SOIL BENTONITE
  
- PROJECT: HANSEN CONTAINER SITE
- OWNER: U.S. BUREAU OF RECLAMATION
- ENGINEER: ENVIRONMENTAL CHEMICAL CORPORATION
- CONSTRUCTION: FEBRUARY 1994
- QUANTITY: 25,000 CY STABILIZED MATERIAL
  
- PROJECT: HENDERSON, NV. REMEDIATION PROJECT
- CONTRACTOR: CHEMICAL RECLAMATION, INC.
- CONSTRUCTION: MAY 1994
- QUANTITY: 3,500 CY STABILIZED MATERIAL
  
- PROJECT: **NORTH DEER CREEK**
- OWNER: SOIL CONSERVATION SERVICE
- ENGINEER: S.C.S. OKLAHOMA
- CONSTRUCTION: APRIL & MAY 1995
- QUANTITY: 23,000 CY RCC
  
- PROJECT: KANSAS CITY, MISSOURI
- OWNER: DEPARTMENT OF ENERGY
- ENGINEER: RIEDEL/SMITH ENVIRONMENTAL
- CONSTRUCTION: MAY-JULY 1995
- QUANTITY: 9,000 CY CONTAMINATED SOIL



- PROJECT: GUNNISON, COLORADO U.M.T.R.A. SITE
- OWNER: U.S. DEPARTMENT OF ENERGY
- ENGINEER: M.K. FERGUSON COMPANY
- CONSTRUCTION: JUNE & JULY 1995
- QUANTITY: 41,000 CY SOIL BENTONITE
- 
- PROJECT: RIFLE, COLORADO U.M.T.R.A. SITE
- OWNER: U.S. DEPARTMENT OF ENERGY
- ENGINEER: M.K. FERGUSON COMPANY
- CONSTRUCTION: AUGUST - SEPTEMBER 1995
- QUANTITY: 251,100 TONS SOIL BENTONITE
- 
- PROJECT: LOOP 202 - RED MTN. EXPRESSWAY, PHOENIX, AZ
- OWNER: A.D.O.T.
- CONTRACTOR: AMES CONSTRUCTION, INC.
- CONSTRUCTION: JANUARY - APRIL 1996
- QUANTITY: 69,500 CY SOIL CEMENT (CEMENT STABILIZED ALLUVIUM)
- 
- PROJECT: SMITH LAKE DAM PROJECT, STAFFORD COUNTY, VA
- OWNER: SOIL CONSERVATION SERVICE
- ENGINEER: WOODWARD CLYDE
- CONTRACTOR: BRANCH HIGHWAYS
- CONSTRUCTION: MAY - AUGUST 1996
- QUANTITY: 23,000 CY R.C.C.
- 
- PROJECT: PENSTOCK REPLACEMENT CANAL, NEWFOUNDLAND, CANADA
- OWNER: ABITIBI PRICE PAPER MILL
- ENGINEER: ACRES INTERNATIONAL
- CONTRACTOR: MCNAMARA CONSTRUCTION
- CONSTRUCTION: AUGUST - SEPTEMBER 1996
- QUANTITY: 9,060 CY RCC PLANT OPERATIONS & PLACEMENT SUPERVISOR
- 
- PROJECT: OCHOCO DAM SPILLWAY MODIFICATION, OREGON
- OWNER: BUREAU OF RECLAMATION
- ENGINEER: BUREAU OF RECLAMATION
- CONTRACTOR: STIMPEL-WIEBELHAUS
- CONSTRUCTION: OCTOBER - NOVEMBER 1996
- QUANTITY: 18,000 CY R.C.C.
- 
- PROJECT: 52ND STREET CHANNEL PROJECT, PHOENIX, AZ
- OWNER: CITY OF PHOENIX
- CONTRACTOR: AMES CONSTRUCTION, INC
- CONSTRUCTION: NOVEMBER 1996
- QUANTITY: 5,000 CY SOIL CEMENT



357 Riverland Drive, Crested Butte, CO 81224, (970) 349-6151, Fax (970) 349-6625

1801 N. Tejon, Colorado Springs, CO 80907, (719) 634-1143, Fax (719) 473-8783

- **PROJECT:** NORTH UNIT IRRIGATION DISTRICT CANAL BEND, OR
- **OWNER:** NORTH UNIT IRRIGATION DISTRICT
- **ENGINEER:** HDR ENGINEERING
- **CONTRACTOR:** BARNARD CONSTRUCTION COMPANY, INC.
- **CONSTRUCTION:** FEBRUARY - APRIL 1997
- **QUANTITY:** 40,000 CY R.C.C.
  
- **PROJECT:** TONGUE RIVER DAM PROJECT, DECKER, MONTANA
- **OWNER:** STATE OF MONTANA, D.N.R.C.
- **ENGINEER:** E.S.A. CONSULTANTS
- **CONTRACTOR:** BARNARD CONSTRUCTION COMPANY, INC.
- **CONSTRUCTION:** APRIL-OCTOBER 1997
- **QUANTITY:** 63,000 CY R.C.C.
  
- **PROJECT:** ARTESIA MUNICIPAL LANDFILL, ARTESIA, NM
- **OWNER:** CITY OF ARTESIA
- **ENGINEER:** SMITH ENGINEERING
- **CONTRACTOR:** SEMA CONSTRUCTION, INC.
- **CONSTRUCTION:** OCTOBER 1997
- **QUANTITY:** 7,000 CY SOIL CEMENT
  
- **PROJECT:** HASTINGS EAST INDUSTRIAL PARK, HASTINGS, NE
- **OWNER:** DEPARTMENT OF THE ARMY
- **ENGINEER:** U.S. ARMY CORPS OF ENGINEERS, KANSAS CITY DISTRICT
- **CONTRACTOR:** KOESTER ENVIRONMENTAL SERVICES
- **CONSTRUCTION:** NOVEMBER 1997
- **QUANTITY:** 7,600 CY LIME SOIL/STABILIZATION
  
- **PROJECT:** CALABACILLAS ARROYO, ALBUQUERQUE, NM
- **OWNER:** AMAFCA
- **ENGINEER:** WILSON & CO
- **CONTRACTOR:** RMCI-ASI/RCC
- **CONSTRUCTION:** MARCH 1, 1998 – MAY 1-1998
- **QUANTITY:** 33,000 CY SOIL CEMENT CHANNEL LINING
  
- **PROMOTED:** PROJECT ESTIMATOR & PROJECT COORDINATOR/SUPERVISOR
- **DATE:** MARCH 15, 1999 – CURRENT
  
- **PROJECT:** GLENDALE LANDFILL LEVEE, GLENDALE, AZ
- **OWNER:** CITY OF GLENDALE, AZ
- **ENGINEER:** EARTH TECH, INC.
- **CONTRACTOR:** VALLEY RAIN CONSTRUCTION, INC.
- **CONSTRUCTION:** NOVEMBER 15, 1999 – JANUARY 10, 2000
- **QUANTITY:** 39,000 CY CEMENT TREATED ALLUVIUM OPERATIONS MNGR



- **PROJECT:** **McKINNEY LAKE DAM REHABILITATION, NC**
- **OWNER:** NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
- **ENGINEER:** AG&E SCHNABEL / URS
- **CONTRACTOR:** ATLAS RESOURCES MANAGEMENT, INC.
- **CONSTRUCTION:** NOVEMBER 15, 2001 – DECEMBER 16, 2001
- **QUANTITY:** 1600 CY RCC OVERTOPPING - **PLACEMENT SUPERVISOR**
  
- **PROJECT:** **BIG CHERRY DAM, VA**
- **OWNER:** TOWN OF BIG STONE GAP
- **ENGINEER:** GEI CONSULTANTS
- **CONTRACTOR:** ESTES BROTHERS CONSTRUCTION
- **CONSTRUCTION:** JULY 2004 – JANUARY 2005
- **QUANTITY:** 13,800 CY RCC FOR NEW GRAVITY DAM. **RCC TECHNICAL ASSISTANT**
  
- **PROJECT:** **ISAAC WALTON GUN CLUB REHABILITATION COLORADO SPRINGS, CO**
- **OWNER:** INFINITY INVESTMENTS
- **ENGINEER:** CASEY RESOURCES, INC.
- **CONTRACTOR:** COLORADO EARTH AND ENVIRONMENTAL, INC.
- **CONSTRUCTION:** NOVEMBER 7 2005- FEBRUARY 10 2006
- **QUANTITY:** **12,000 CY S/S OF RIFLE RANGE SOILS -- PROJECT MANAGER**
  
- **PROJECT:** **REUTER-HESS DAM PARKER, CO**
- **OWNER:** PARKER WATER AND SANITATION DISTRICT
- **ENGINEER:** WEAVER GENERAL CONSTRUCTION, GEI/RJH ENGINEERS
- **CONTRACTOR:** SEMA CONSTRUCTION, INC.
- **CONSTRUCTION:** AUGUST 8, 2006 THRU NOVEMBER 8,2006
- **QUANTITY:** **74,000CY SOIL CEMENT SLOPE PROTECTION PLACEMENT SUPERVISOR**
  
- **PROJECT:** **UPPER AND LOWER AETNA DAMS, MEDFORD LAKES, NJ**
- **OWNER:** BOUROUGH OF MEDFORD LAKES, NJ
- **ENGINEER:** DEWBERRY GOODKIND & GEI CONSULTANTS,INC.
- **CONTRACTOR:** NORTHEAST REMSCO CONSTRUCTION
- **CONSTRUCTION:** FEBRUARY 1, 2007 – JULY 3, 2007
- **QUANTITY:** **11,000CY RCC FOR TWO NEW DAMS PLACEMENT SUPERVISOR**
  
- **PROJECT:** **MARILLA DAM # 3 BRADFORD, PA**
- **OWNER:** BRADFORD CITY WATER AUTHORITY
- **ENGINEER:** GAI CONSULTANTS, INC.
- **CONTRACTOR:** BOB CUMMINS CONSTRUCTION COMPANY
- **CONSTRUCTION:** SEPTEMBER 6, 2007 – OCTOBER, 8, 2007
- **QUANTITY:** **10,100 CY RCC OVERTOPPING PROTECTION RCC PLACEMENT ADVISOR**





- PROJECT: **DEEGAN & HINKLE DAMS REHABILITATION BRIDGEPORT, WV**
- OWNER: CITY OF BRIDGEPORT, WV
- ENGINEER: CIVIL TECH ENGINEERING, INC.
- CONTRACTOR: KANAWHA STONE COMPANY, INC.
- CONSTRUCTION: OCTOBER 7, 2007 - NOVEMBER 3, 2007
- QUANTITY: 4586 CY RCC OVERTOPPING PROTECTION – RCC PLACEMENT ADVISOR
  
- PROJECT: **SALLY'S POND DAM REHABILITATION, RINGWOOD, NJ**
- OWNER: NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION
- ENGINEER: SCHNABEL ENGINEERING, INC.
- CONTRACTOR: PETILLO, INC.
- CONSTRUCTION: APRIL 7, 2008 – APRIL 30, 2008
- QUANTITY: 2500 CY RCC DAM CORE - RCC PLACEMENT ADVISOR
  
- PROJECT: **MT STORM FLIP BUCKET SPILLWAY REHABILITATION MT STORM, WV**
- OWNER: DOMINION RESOURCES
- ENGINEER: CIVIL TECH ENGINEERING
- CONTRACTOR: KANAWHA STONE COMPANY
- CONSTRUCTION: August 1, 2008 – September 1, 2008
- QUANTITY: 1800 CY RCC FOR SPILLWAY IMPROVEMENTS- PLACEMENT ADVISOR
  
- PROJECT: **POE VALLEY DAM REHABILITATION STATE COLLEGE, PA**
- OWNER: PENNSYLVANIA DEPARTMENT OF NATURAL RESOURCES
- ENGINEER: SCHNABEL ENGINEERING
- CONTRACTOR: JAY FULKROAD & SONS
- CONSTRUCTION: SEPTEMBER- OCTOBER 2008
- QUANTITY: 11000CY RCC OVERTOPPINGPROTECTION– RCC PLACEMENT SUPERVISOR
  
- PROJECT: **PRAIRIE WATERS PROJECT- WATER STORAGE LAGOONS AURORA, CO**
- OWNER: AURORA WATER
- ENGINEER: CH2MHILL
- CONTRACTOR: WESTERN SUMMIT CONSTRUCTORS
- CONSTRUCTION: JULY 2008 – OCTOBER 2008 & JULY 2009
- QUANTITY: 41,635 CY SOIL CEMENT FOR POND LININGS – PLACEMENT SUPERVISOR
  
- PROJECT: **NAVAJO GENERATING STATION PAGE, AZ**
- OWNER: SALT RIVER GROUP NGS
- ENGINEER: STANTEC ENGINEERING
- CONTRACTOR: BLOUNT CONTRACTING
- CONSTRUCTION: AUG 16, 2010 – OCTOBER 23, 2010
- QUANTITY: 19,000CY SOIL CEMENT FOR BANK PROTECTION



357 Riverland Drive, Crested Butte, CO 81224, (970) 349-6151, Fax (970) 349-6625

1801 N. Tejon, Colorado Springs, CO 80907, (719) 634-1143, Fax (719) 473-8783

- PROJECT: BARR LAKE DAM SPILLWAY REHABILITATION BRIGHTON, CO
- OWNER: FRICO
- ENGINEER: ERC
- CONTRACTOR: TEZAK HEAVY EQUIPMENT/GEARS INC.
- CONSTRUCTION: OCTOBER 26, 2010 – NOVEMBER 9, 2010
- QUANTITY: 5900 CY SOIL CEMENT FOR SPILLWAY **PLACEMENT SUPERVISOR**
  
- PROJECT: REGIONAL WWTP PH 1 IMPROVEMENTS FOUNDATION STABILIZATION
- OWNER: CITY OF COLUMBIA, MO
- ENGINEER: BLACK AND VEATH
- CONTRACTOR: COLUMBIA CURB AND GUTTER, INC/ KCI
- CONSTRUCTION: DECEMBER 1, 2010 – MARCH 31, 2010
- QUANTITY: 11,000 CY OF SOIL CEMENT BANK PROTECTION-**PLACEMENT ADVISOR**
  
- PROJECT: CENTRAL AND SOUTHERN SITE 1 IMPROVEMENTS, BOCA RATON, FL
- OWNER: SFWMD AND ARMY CORP OF ENGINEERS
- ENGINEER: ARMY CORP OF ENGINEERS
- CONTRACTOR: LODGE CONSTRUCTION CORP, INC.
- CONSTRUCTION: DECEMBER 2010- PRESENT
- QUANTITY: 68,200CY SOIL CEMENT FOR BANK PROTECTION **SOIL CEMENT ADVISOR**

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Triton Construction, Inc.  
of PO Box 908, Nitro, WV 25143, as Principal, and Travelers Casualty and Surety Company of America  
of One Tower Square, Hartford, CT 06183, a corporation organized and existing under the laws of the State of  
Connecticut with its principal office in the City of Hartford, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent (5%) of Amount Bid (\$                    ) 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  
Dam Modifications at Berwind Lake Wildlife Management Area  
McDowell County, West Virginia

**NOW THEREFORE,**

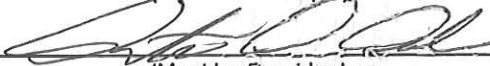
(a) If said bid shall be rejected, or  
(b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
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 Obligee 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  
15th day of February, 2012.

Principal Corporate Seal

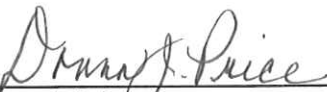
Triton Construction, Inc.  
(Name of Principal)

By   
(Must be President or  
Vice President)

ASHTON A ANDERS, VICE PRESIDENT  
(Title)

Surety Corporate Seal

Travelers Casualty and Surety Company of America  
(Name of Surety)

By:   
Donna J. Price Attorney-in-Fact  
Licensed West Virginia Resident Agent

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



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 220306

Certificate No. 003656908

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Andrew K. Teeter, Donna J. Price, Douglas P. Taylor, Kimberly L. Miles, C. Lee Jordan, Pamela V. Lanham, and Christopher A. Michel

of the City of Charleston, State of West Virginia, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of May, 2010.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 11th day of May, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 220306

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Andrew K. Teeter, Donna J. Price, Douglas P. Taylor, Kimberly L. Miles, C. Lee Jordan, Pamela V. Lanham, and Christopher A. Michel

of the City of Charleston, State of West Virginia, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

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Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 11th day of May, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public



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

STATE OF West Virginia

COUNTY OF Putnam, TO-WIT:

I, Anton A Anders, after being first duly sworn, depose and state as follows:

- 1. I am an employee of TRITON CONSTRUCTION, INC.; and,  
(Company Name)
- 2. I do hereby attest that TRITON CONSTRUCTION, 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.

TRITON CONSTRUCTION, INC.  
(Company Name)

By: [Signature] Anton A Anders

Title: Vice President

Date: February 15, 2012

Taken, subscribed and sworn to before me this 15th day of February, 2012



October 26, 2021

[Signature]  
(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. DNRB12087

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: TRITON CONSTRUCTION, INC.

Authorized Signature: [Signature] Date: February 15, 2012

State of West Virginia

County of Putnam, to-wit:

Taken, subscribed, and sworn to before me this 15th day of February, 2012.

My Commission expires October 26, 2021, 2021.

AFFIX SEAL HERE

NOTARY PUBLIC Allyson J. Belcher

