

TITAN

WRECKING & ENVIRONMENTAL, LLC

153 Wales Ave. Tonawanda, NY 14150
Phone (716) 692-2000 Fax (716) 693-2650
E-mail: terryc@titanwrecking.com

FACSIMILE TRANSMITTAL COVER SHEET

DATE: 5/23/2012	TIME: 12:30
MESSAGE TO: Krista	FROM: Terry Cornett
FIRM: WV	PHONE NO.: 716-692-2000 ext 100
FAX NO.: (304) 558-3970	FAX NO.: 716-693-2650

NUMBER OF PAGES (INCLUDING COVER SHEET): 27

RFQ #
BUYER
BID OPEN TIME
BID OPEN DATE

GSD126443
KRISTA FERRELL-FILE 21
1:30 PM
MAY 23, 2012

Thank you.

Terry Cornett

RECEIVED
2012 MAY 23 PM 12:39
WV PURCHASING
DIVISION

****PLEASE NOTE**** The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by anyone else is unauthorized. If you are Not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you received this transmission in error, please notify the sender immediately by telephone. Thank you for your cooperation

Proposal Form

State of West Virginia – General Services Division
State Office Building - Fairmont
Demolition and Site Preparation of
400 Block of Adams Street and Ogden Avenue

Project No. GSD 126443

Name of Bidder: Titan Wrecking & Environmental, LLC

The undersigned, hereinafter called Bidder, being familiar with and understanding the Bidding Documents and also having examined the site and being familiar with all local conditions affecting the project hereby proposes to furnish all labor, material, equipment, supplies and transportation and to perform all Work in accordance with the Bidding Documents within the time set forth for the sum of:

Demolition and Site Preparation Base Bid:

one million three hundred ninety-eight thousand, nine hundred twenty-three dollars

(\$ 1,398,923)

(Show amount in both words and numbers)

(In the event of a difference between the written amount and the number amount, the written amount shall govern.)

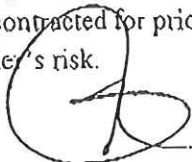
UNIT PRICE:

Unit Price No. 1:	Over-excavation, removal, disposal, and backfill with suitable fill of undocumented, construction debris, unsuitable basement fill, coal chutes, cisterns etc. at, or below subgrade.	\$ <u>110.00</u>	Per Cubic Yard
Unit Price No. 2:	Removal of Underground Utilities not identified on the Contract Documents	\$ <u>30.00</u>	Per Lineal Foot.
Unit Price No. 3a:	Environmental Hazards removal and disposal solid waste	\$ <u>100.00</u>	Per Ton.
Unit Price No. 3b:	Environmental Hazards removal and disposal hazardous waste	\$ <u>400.00</u>	Per Ton.

Definition: A Unit Price is an amount stated in the Bid as a price per unit of measurement for materials, equipment or services or a portion of the Work as described in the Bidding Documents. Unit prices shall be used solely for the formulation of any change orders subsequently requested for the awarded contract.

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within the specified time period following issuance 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 specified in the Contract Documents. No work shall be performed prior to issuance of a signed Purchase Order and Notice to Proceed issued by the Owner. Any materials contracted for prior to the issuance of the OWNER'S written Notice to Proceed shall be at the Bidder's risk.

Signature of Bidder:



Name of Firm: Titan Wrecking & Environmental, LLC

Address: 153 Wales Avenue

City/ State/ Zip Tonawanda, NY 14150

Phone No. (716) 692-2000

Fax No. (716) 693-2650

By: Anthony Bodami

Signature: _____

(In colored Ink)

Signed and Sealed this 22nd day of May, 2012

Addenda:

The undersigned acknowledges receipt of the following Addenda covering revisions to the Drawings, Specification and Bidding Documents. The cost, if any, of such revisions is included in the prices quoted.

- Addendum No. 1, Dated 3/20/2012
- Addendum No. 2, Dated 4/02/2012
- Addendum No. 3, Dated 4/16/2012
- Addendum No. 4, Dated 4/17/2012
- 5 5/7/2012

Contractor's License:

West Virginia Contractor's License No. WV048361

References:

Reference #1 Name: Steve Frier

Position: Principal & Owner

Address: 1029 Murray Circle, Marietta, GA 30064

Telephone Number: 772-562-9662

Project Name: INEOS Ocean Spray Facility

Project Description: complete demolition to provide shovel ready site

Reference #2 Name: Lou Boss

Position: Construction Manager/Turner Construction

Address: 50 Lakofront Blvd., Buffalo, NY 14202

Telephone Number: 716-570-4734

Project Name: Acheson Hall/University at Buffalo

Project Description: complete abatement of 4 story dormitory and select demolition to leave a clean shell

Reference #3 Name: Brooke Furio

Position: Brownfields Project Manager

Address: Cleveland, OH

Telephone Number: 440-250-1705

Project Name: Midland Steel Site Remediation

Project Description: hazardous material abatement & demolition of former steel processing facility

Reference #4 Name: Bob Lesser

Position: Trustee

Address: One Elliot Pl. 3rd Floor, Fairfield, CT 06824

Telephone Number: 203-336-1811

Project Name: Masonic Temple Demolition

Project Description: demolition of fire damaged multi story building

Reference #5 Name: Steve Mosites

Position: Managing Member

Address: 535 Smithfield St., Pittsburgh, PA 15222

Telephone Number: 412-391-7171

Project Name: Penn Circle High Rise

Project Description: hazardous abatement and demolition of 22 story
apartment building

Agency _____
REQ.P.O# _____

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, TITAN WRECKING & ENVIRONMENTAL, LLC.
of 153 WALES AVENUE, TONAWANDA, NY 14150, as Principal, and INTERNATIONAL FIDELITY INSURANCE
COMPANY of ONE NEWARK CENTER, NEWARK, NJ 07102, a corporation organized and existing under the laws of the State of
NEW JERSEY with its principal office in the City of NEWARK, as Surety, are held and firmly bound unto the State
of West Virginia, as Oblige, in the penal sum of FIVE PERCENT OF THE CONTRACT AMOUNT (\$ 5 %) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
DEMOLITION AND SITE REMEDIATION FOR 400 BLOCK OF ADAMS ST., FAIRMONT, WV

NOWHEREFORE,

(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 Oblige 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 herunto and these presents to be signed by their proper officers, this
30TH day of MARCH, 20 12.

Principal Corporate Seal

TITAN WRECKING & ENVIRONMENTAL, LLC.

(Name of Principal)

By _____

(Must be President or
Vice President)

managing Partner
(Title)

Surety Corporate Seal

INTERNATIONAL FIDELITY INSURANCE COMPANY

(Name of Surety)

Gary A. Cardinale
Attorney-in-Fact **GARY A. CARDINALE**

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

Individual Acknowledgement
 State of _____ } ss.
 County of _____ }
 On this _____ day of _____, 20____, before me personally came _____ to me known, and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed the same.

My commission expires _____ Notary Public

Firm Acknowledgement
 State of _____ } ss.
 County of _____ }
 On this _____ day of _____, 20____, before me personally came _____ to me known and known to me to be a member of the firm of _____ described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed the same as and for the act and deed of said firm.

My commission expires _____ Notary Public

Corporation Acknowledgement
 State of NY } ss.
 County of ERIE }
 On this 18th day of April, 2012, before me personally came _____ to me known, who being by me duly sworn, did depose and say that he is the managing Partner of Titan Wrecking & Environmental, LLC the corporation described in and which executed the above instrument; that he knows the seal of said corporation; the the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

My commission expires 5/9/2015

 Notary Public, State of New York
 Commission No: 01C06240889
 Qualified in Niagara County
 Commission Expires: 05/09/2015

Surety Acknowledgement
 State of NEW YORK } ss.
 County of ERIE }
 On this 30TH day of MARCH, 2012, before me personally came GARY A. CARDINALE to me known, who, being by me duly sworn, did depose and say that he is attorney-in-fact of INTERNATIONAL FIDELITY INSURANCE COMPANY the corporation described in and which executed the above instrument; that he knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that he signed the said instrument and affixed the said seal as Attorney-in-Fact by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

My commission expires JULY 24, 2014

 DANIELLE D. BARCLAY
 Notary Public
 State of New York
 My Appointment Expires July 24, 2014

INTERNATIONAL FIDELITY INSURANCE COMPANY
 ONE NEWARK CENTER, 20TH FLOOR, NEWARK, NEW JERSEY 07102-5207

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT DECEMBER 31, 2011

ASSETS

Bonds (Amortized Value)	\$49,681,081
Common Stocks (Market Value)	57,533,888
Mortgage Loans on Real Estate	155,200
Cash & Bank Deposits	104,817,510
Other Invested Assets	398,030
Unpaid Premiums & Assumed Balances	10,382,729
Reinsurance Recoverable from Reinsurers	1,513,768
Electronic Data Processing Equipment	466,371
Investment Income Due and Accrued	427,584
Current Federal & Foreign Income Tax Recoverable & Interest Thereon.....	691,915
Net Deferred Tax Assets	5,500,000
Health Care (\$ _____) and other amounts receivable	139,513
Other Assets	<u>2,367,412</u>
TOTAL ASSETS	<u>\$234,075,001</u>

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported Losses Net as to Reinsurance Ceded and Incurred But Not Reported Losses)	\$13,364,296
Reinsurance Payable on Paid Losses and Loss Adjustment Expenses (Schedule F, Part I, Column 6)	502,347
Loss Adjustment Expenses	4,260,327
Contingent Commissions & Other Similar Charges	5,090,164
Other Expenses (Excluding Taxes, Licenses and Fees)	3,200,395
Taxes, Licenses & Fees (Excluding Federal Income Tax)	953,118
Unearned Premiums	36,507,172
Dividends Declared & Unpaid; Policyholders	500,000
Ceded Reinsurance Premiums Payable	3,809,996
Funds Held by Company under Reinsurance Treaties	1,031
Amounts Withheld by Company for Account of Others	71,654,569
Provisions for Reinsurance	1,043
Payable to Parent, Subsidiaries and Affiliates	169,155
Other Liabilities	<u>6,975</u>
TOTAL LIABILITIES	<u>\$140,020,588</u>
Common Capital Stock	\$1,500,000
Gross Paid-in & Contributed Surplus	374,600
Surplus Note	16,000,000
Unassigned Funds (Surplus)	77,044,997
Less: Treasury Stock at cost (19,226 shares common) (value incl. \$45.)	<u>865,185</u>
Surplus as Regards Policyholders	<u>\$94,054,412</u>
TOTAL LIABILITIES, SURPLUS & OTHER FUNDS	<u>\$234,075,000</u>

I, Francis L. Mitterhoff, President of INTERNATIONAL FIDELITY INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, December 31, 2011, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of New Jersey.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 24th day of February, 2012.
 INTERNATIONAL FIDELITY INSURANCE COMPANY

Tel (973) 624-7200

POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR
NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint

DANIELLE D. BARCLAY, GARY A. CARDINALE

Cheektowaga, NY.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise; and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact; and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and;
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.



IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 16th day of October, A.D. 2007.

INTERNATIONAL FIDELITY INSURANCE COMPANY

STATE OF NEW JERSEY
County of Essex

Secretary

On this 16th day of October 2007, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said that he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 27, 2014

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 30th day of March, 2012

Assistant Secretary



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

STATE OF NY

COUNTY OF Eric, TO-WIT:

I, Anthony Bodami, after being first duly sworn, depose and state as follows:

- I am an employee of Titan Wrecking & Environmental, LLC; and,
(Company Name)
- I do hereby attest that Titan Wrecking & Environmental, LLC
(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.

Titan Wrecking & Environmental, LLC
(Company Name)

By: Anthony Bodami

Title: Managing Partner

Date: 5/21/2012

Taken, subscribed and sworn to before me this 21st day of May 2012

By Terry J. Cornett
Notary Public, State of New York
Commission expires 5/9/2015

(Seal)
Commission No: 01CO6240889
Qualified in Niagara County
Commission Expires: 05/09/2015

Terry J. Cornett
(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. 12

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 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: Titan Wrecking & Environmental, LLC

Authorized Signature:  Date: 5/21/2012


State of NY

County of Eric, to-wit:

Taken, subscribed, and sworn to before me this 21st day of May, 2012.

My Commission expires 5/9/2015, 2012.

AFFIX SEAL HERE

NOTARY PUBLIC 

Terry J. Cornett
Notary Public, State of New York
Commission No: 01CO6240889
Qualified in Niagara County
Commission Expires: 05/09/2015



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
 GSD126443

PAGE
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ADDRESS CORRESPONDENCE TO ATTENTION OF
 KRISTA FERRELL
 304-558-2596

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	P.O.B.	FREIGHT TERMS		
02/22/2012						
BID OPENING DATE: 04/10/2012		BID OPENING TIME 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		960-32		
DEMOLITION OF 400 BLOCK OF ADAMS ST; FAIRMONT, WV REQUEST FOR QUOTATION (RFQ) CONSTRUCTION THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF GENERAL SERVICES, IS SOLICITING BIDS TO PROVIDE THE AGENCY WITH ALL LABOR MATERIALS, SUPPLIES, AND EQUIPMENT FOR THE DEMOLITION OF STRUCTURES IN THE 400 BLOCK OF ADAMS STREET LOCATED IN FAIRMONT, WEST VIRGINIA. PROJECT DRAWINGS AND PROJECT MANUAL MAY BE OBTAINED BY CONTACTING: CHARLESTON BLUEPRINT AT 1203 VIRGINIA ST. IN CHARLESTON, WV. PHONE: 304-343-1063 OR (800) 220 9625. THERE IS A \$85.00 NON-REFUNDABLE CHARGE (PLUS SHIPPING.) A MANDATORY PRE-BID WILL BE HELD ON 03/15/12 AT 1:00 PM AT THE AGENCY'S LOCATION AT THE AUTO SERVICE BUILDING AT THE CORNER OF ADAMS AND MADISON STREET IN FAIRMONT, WEST VIRGINIA. 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 MANDATOR						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE			TELEPHONE 716-692-2000	DATE 5/21/2012		
TITLE Managing Partner		FEIN 22-3849335		ADDRESS CHANGES TO BE NOTED ABOVE		

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

GENERAL TERMS & CONDITIONS PURCHASE ORDER/CONTRACT

- 1. ACCEPTANCE:** Seller shall be bound by this order and its terms and conditions upon receipt of this order.
- 2. APPLICABLE LAW:** The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 3. NON-FUNDING:** All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the terms of the Purchase Order/Contract, 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.
- 4. COMPLIANCE:** Seller shall comply with all federal, state and local laws, regulations and ordinances including, but not limited to, the prevailing wage rates of the WV Division of Labor.
- 5. MODIFICATIONS:** This writing is the parties' final expression of intent. No modification of this order shall be binding unless agreed to in writing by the Buyer.
- 6. ASSIGNMENT:** Neither this Order nor any monies due, or to become due hereunder may be assigned by the Seller without the Buyer's consent.
- 7. WARRANTY:** The Seller expressly warrants that the goods and/or services covered by this order will:
(a) conform to the specifications, drawings, samples or other description furnished or specified by the Buyer; (b) be merchantable and fit for the purpose intended; and/or (c) be free from defect in material and workmanship.
- 8. CANCELLATION:** The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 9. SHIPPING, BILLING & PRICES:** Prices are those stated in this order. No price increase will be accepted without written authority from the Buyer. All goods or services shall be shipped on or before the date specified in this Order.
- 10. LATE PAYMENTS:** Payments may only be made after the delivery of goods or services. Interest may be paid on late payments in accordance with the *West Virginia Code*.
- 11. TAXES:** The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 12. RENEWAL:** Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. 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.
- 14. 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.
- 15. 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>.
- 16. 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, West Virginia Insurance Commission, or any other state agency or political subdivision. Furthermore, 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.
- 17. ANTITRUST:** In accepting this purchase order or signing this contract with any agency for the State of West Virginia, the vendor agrees to 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 vendor. Vendor certifies that this purchase order or contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law. Vendor further certifies that this purchase order or contract is in all respects fair and without collusion or fraud.



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
 GSD126443

PAGE
 2

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 304-558-2596

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/22/2012				
BID OPENING DATE: 04/10/2012		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	QAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER-S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN 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>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO KRISTA FERRELL IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA FAX AT 304-558-4115 OR VIA EMAIL AT KRISTA.S.FERRELL@WV.GOV.</p> <p>DEADLINE FOR ALL TECHNICAL QUESTIONS IS 03/22/2012 AT THE CLOSE OF BUSINESS.</p> <p>ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>VERBAL COMMUNICATION: ANY VERBAL COMMUNICATION BETWEEN THE VENDOR AND ANY STATE PERSONNEL IS NOT BINDING, INCLUDING THAT MADE AT THE MANDATORY PRE-BID MEETING.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 716-692-2000	DATE 5/21/2012
TITLE Managing Partner	FEIN 22-3849335	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
 GSD126443

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ADDRESS CORRESPONDENCE TO ATTENTION OF:
 KRISTA FERRELL
 304-550-2596

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-550-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS		
02/22/2012						
BID OPENING DATE: 04/10/2012		BID OPENING TIME: 01:30PM				
LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ONLY INFORMATION ISSUED IN WRITING AND ADDED TO THE RFQ SPECIFICATIONS BY AN OFFICIAL WRITTEN ADDENDUM BY PURCHASING IS BINDING.</p> <p>NO CONTACT BETWEEN THE VENDOR AND THE AGENCY IS PERMITTED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE STATE BUYER. VIOLATION MAY RESULT IN REJECTION OF THE BID. THE STATE BUYER LISTED ABOVE IS THE SOLE CONTACT FOR ANY AND ALL INQUIRIES AFTER THIS RFQ HAS BEEN RELEASED.</p> <p>ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERE TO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.</p> <p>EXHIBIT B</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. THE AGENCY WILL ISSUE A WRITTEN NOTICE</p>						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE				TELEPHONE	DATE	
				716-692-2000	5/21/2012	
TITLE		FEIN		ADDRESS CHANGES TO BE NOTED ABOVE		
Managing Partner		22-3849335				

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



State of West Virginia
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 2019 Washington Street East
 Post Office Box 50130
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**Request for
 Quotation**

RFQ NUMBER
GSD126443

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9

ADDRESS CORRESPONDENCE TO ATTENTION OF
**KRISTA FERRELL
 304-558-2596**

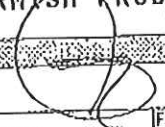
VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
**TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150**

VENDOR

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SUPPLY	FOU	FRIGHT TERMS		
02/22/2012						
BID OPENING DATE: 04/10/2012		BID OPENING TIME: 01:30PM				
LINE	QUANTITY	UOP	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				<p>TO PROCEED TO THE SUCCESSFUL VENDORS. (SEE INSTRUCTIONS TO BIDDERS FOR SUBSTANTIAL AND FINAL COMPLETION TIMES)</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 MARION COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT 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 \$1,000,000.00.</p> <p>() BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN</p>		
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE			TELEPHONE	DATE		
 Managing Partner			716-692-2000	5/21/2012		
TITLE		FEIN	ADDRESS CHANGES TO BE NOTED ABOVE			
Managing Partner		22-3849335				

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



State of West Virginia
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 Purchasing Division
 2019 Washington Street East
 Post Office Box 60130
 Charleston, WV 25305-0130

**Request for
 Quotation**

RFQ NUMBER
 GSD126443

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ADDRESSES CORRESPONDENCE TO ATTENTION
 KRISTA FERRELL
 304-558-2596

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS		
02/22/2012						
BID OPENING DATE: 04/10/2012		BID OPENING TIME 01:30PM				
LINE	QUANTITY	UoM	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. (XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND. () MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 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					
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE			TELEPHONE	DATE		
			716-692-2000	5/21/2012		
TITLE		FEIN	ADDRESS CHANGES TO BE NOTED ABOVE			
Managing Partner		22-3849335				

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State of West Virginia
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**Request for
 Quotation**

RFQ NUMBER
 GSD126443

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ADDRESS CORRESPONDENCE TO ATTENTION OF
 KRISTA FERRELL
 304-558-2426

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

RFQ NO.

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
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304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOR	FREIGHT TERMS
02/22/2012				

BID OPENING DATE: 04/10/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOM	QTY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE, SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID 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. 3/00</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	716-692-2000	5/21/2012
TITLE	FRIN	ADDRESS CHANGES TO BE NOTED ABOVE!
Managing Partner	22-3849335	

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 80130
 Charleston, WV 26305-0130

**Request for
 Quotation**

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ESP126443

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ADDRESS CORRESPONDENCE TO ATTENTION OF
KRISTA FERRELL
304-550-2596

RFQ COPY
 TYPE NAME/ADDRESS HERE
TITAN WRECKING & ENVIRONMENTAL, LLC
153 Wales Avenue
Tonawanda, NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS
304-550-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/22/2012				

BID OPENING DATE: **04/10/2012** BID OPENING TIME **01:30PM**

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

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: TELEPHONE: **716-692-2000** DATE: **5/21/2012**

TITLE: **Managing Partner** FEIN: **22-3849335** 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
GSD126443

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ADDRESS OF CORRESPONDENCE TO ATTENTION OF
**KRISTA FERRELL
 304-550-2596**

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

VENDOR

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-550-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	L.O.B.	FREIGHT TERMS
02/22/2012				
BID OPENING DATE: 04/10/2012		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	QAL No	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NOS. :						
NO. 1			3/20/2012			
NO. 2			4/2/2012			
NO. 3			4/16/2012			
NO. 4			4/17/2012			
NO. 5			5/7/2012			
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE 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</p> <p>TITAN WRECKING & ENVIRONMENTAL, LLCCOMPANY</p> <p>5/21/2012DATE</p> <p>REV. 11/96</p> <p>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 716-692-2000	DATE 5/21/2012
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TITLE Managing Partner	FEIN 22-3849335	ADDRESS CHANGES TO BE NOTED ABOVE
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WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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

Request for Quotation

ITEM NUMBER	PAGE
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ADDRESS CORRESPONDENCE TO ATTENTION OF:	
KRISTA FERRELL	
304-558-2526	

RFQ COPY
 TYPE NAME/ADDRESS HERE
TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS
 304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
02/22/2012				
BID OPENING DATE: 04/10/2012		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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) 558-7090.</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> <p>CONTRACTORS NAME: TITAN WRECKING & ENVIRONMENTAL, LLC</p> <p>CONTRACTORS LICENSE NO.: WV048361</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT</p>						

SIGNATURE _____ TELEPHONE 716-692-2000 DATE 5/21/2012

TITLE **Managing Partner** FEIN 22-3849335 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 60130
 Charleston, WV 25305-0130

**Request for
 Quotation**

RFQ NUMBER
 GSD126443

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ADDRESS CORRESPONDENCE TO ATTENTION OF
 KRISTA FERRELL
 304-558-2396

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

SHIP TO

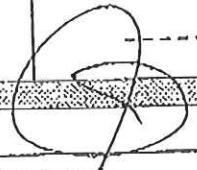
DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	DELIVERY TERMS
02/22/2012				
DID OPENING DATE: 04/10/2012		DID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	DAY NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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.</p> <p>REV. 5/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID</p> <p>BUYER: KRISTA FERRELL-FILE 21 REQ. NO.: GSD126443 BID OPENING DATE: 04/10/2012 BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 716-693-2650</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE  TELEPHONE 716-692-2000 DATE 5/21/2012
 TITLE Managing Partner FEIN 22-3849335 ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia
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**Request for
 Quotation**

RFQ NUMBER
 GSD126443

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ADDRESS CORRESPONDENCE (ATTENTION OF)
 KRISTA FERRELL
 304-558-2596

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 TITAN WRECKING & ENVIRONMENTAL, LLC
 153 Wales Avenue
 Tonawanda, NY 14150

B.H.P.O.

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS
 304-558-2317

DATE PRINTED: 02/22/2012	TERMS OF SALE:	SHIP VIA:	FOB:	FREIGHT TERM:
BID OPENING DATE: 04/10/2012		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOM	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:						
----- Anthony Bodami -----						
***** THIS IS THE END OF RFQ GSD126443 ***** TOTAL						\$1,174,075.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: TELEPHONE: 716-692-2000 DATE: 5/21/2012

TITLE: Managing Partner FEIN: 22-3849335 ADDRESS CHANGES TO BE NOTED ABOVE

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



Department of Administration
 Purchasing Division
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 Post Office Box 50130
 Charleston, WV 25305-0130

Quotation

GSD126443

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 KRISTA FERRELL
 304-558-2596

VENDOR

*509144137 716-692-2000
 TITAN WRECKING & ENVIRONMENTAL
 153 WALES AVE
 TONAWANDA NY 14150

SHIP TO

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/20/2012				

BID OPENING DATE: 04/10/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				THIS ADDENDUM IS ISSUED TO:		
				1.) PROVIDE A COPY OF THE MANDATORY PRE-BID ATTENDEE LIST AND		
				2.) PROVIDE SECONDARY SITE VISIT INFORMATION		
				BID OPENING DATE REMAINS: 04/10/2012		
				BID OPENING TIME REMAINS: 1:30 PM		
				***** END ADDENDUM NO. 1 *****		
0001	1	LS		968-32		
				DEMOLITION OF 400 BLOCK OF ADAMS ST; FAIRMONT, WV		
				***** THIS IS THE END OF RFQ GSD126443 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	716-692-2000	5/21/2012
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Managing Partner	22-3849335	

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



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

Quotation

GSD126443

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

KRISTA FERRELL
 304-558-2596

*509144137 716-692-2000
 TITAN WRECKING & ENVIRONMENTAL
 153 WALES AVE
 TONAWANDA NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/02/2012				

BID OPENING DATE: 04/19/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UQP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 2		
				THIS ADDENDUM IS ISSUED TO:		
				1.) ADD REVISED BID FORM		
				2.) PROVIDE ANSWERS TO ALL TECHNICAL QUESTIONS SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE ORIGINAL REQUEST FOR QUOTATION (GSD126443),		
				3.) EXTEND THE PERIOD FOR TECHNICAL QUESTIONS		
				TECHNICAL QUESTIONS MUST BE SUBMITTED NO LATER THAN 04/05/2012 AT THE CLOSE OF BUSINESS.		
				4.) EXTEND THE BID OPENING DATE		
				BID OPENING DATE IS EXTENDED TO: 04/19/2012		
				BID OPENING TIME REMAINS: 1:30 PM		
				***** END ADDENDUM NO. 2 *****		
001	1	LS		968-32		
				DEMOLITION OF 400 BLOCK OF ADAMS ST; FAIRMONT, WV		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	716-692-2000	5/21/2012
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Managing Partner	22-3849335	

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



Department of Administration
 Purchasing Division
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Quotation

GSD126443

1

ADDRESS CORRESPONDENCE TO ATTENTION OF

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*509144137 716-692-2000
 TITAN WRECKING & ENVIRONMENTAL
 153 WALES AVE
 TONAWANDA NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
04/16/2012				

BID OPENING DATE: 05/10/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 3		
				THIS ADDENDUM IS ISSUED TO:		
				1.) PROVIDE A COPY ANSWERS TO TECHNICAL QUESTIONS RECEIVED IN ACCORDANCE WITH ADDENDUM NO. 2 AND THE ORIGINAL REQUEST FOR QUOTATION (GSD126443)		
				2.) PROVIDE ASBESTOS MAPS AND RESULTS, AND		
				3.) EXTEND THE BID OPENING DATE.		
				BID OPENING DATE IS EXTENDED TO 05/10/2012		
				BID OPENING TIME REMAINS: 1:30 PM		
				***** END ADDENDUM NO. 3 *****		
0001	1	LS		968-32		
				DEMOLITION OF 400 BLOCK OF ADAMS ST; FAIRMONT, WV		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	716-692-2000	5/21/2012
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
Managing Partner	22-3849335	

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



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 Purchasing Division
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 Charleston, WV 25305-0130

Quotation

GSD126443

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

KRISTA FERRELL
 304-558-2596

VENDOR

*509144137 716-692-2000
 TITAN WRECKING & ENVIRONMENTAL
 153 WALES AVE
 TONAWANDA NY 14150

SHIP TO

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/17/2012				

BID OPENING DATE: 05/10/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 4		
				TO ADD A COPY OF THE TECHNICAL QUESTIONS INADVERTANTLY OMMITTED FROM ADDENDUM NO. 3.		
				BID OPENING DATE REMAINS: 05/10/2012		
				BID OPENING TIME REMAINS: 1:30 PM		
				***** END ADDENDUM NO. 4 *****		
0001	1	LS		968-32		
				DEMOLITION OF 400 BLOCK OF ADAMS ST; FAIRMONT, WV		
				***** THIS IS THE END OF RFQ GSD126443 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 716-692-2000	DATE 5/21/2012
TITLE Managing Partner	FEIN 22-3849335	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

QUOTATION

GSD126443

ADDRESS CORRESPONDENCE TO ATTENTION OF
 KRISTA FERRELL
 304-558-2596

*509144137 716-692-2000
 TITAN WRECKING & ENVIRONMENTAL
 153 WALES AVE
 TONAWANDA NY 14150

DEPARTMENT OF ADMINISTRATION
 GENERAL SERVICES DIVISION
 JOBSITE
 SEE SPECIFICATIONS

304-558-2317

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
05/07/2012				
BID OPENING DATE: 05/23/2012		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 5		
				THIS ADDENDUM IS ISSUED TO:		
				1.) ADD ADDENDUM BULLETIN NO. 5,		
				2.) ADD SECTION 330000 SANITARY SEWERAGE,		
				3.) PROVIDE REVISED DRAWINGS C-2, C-3, C-4, C-6, AND C-7,		
				4.) EXTEND THE DEADLINE FOR TECHNICAL QUESTIONS, AND TECHNICAL QUESTIONS WILL BE RECEIVED THROUGH THE CLOSE OF BUSINESS ON 05/14/2012. TECHNICAL QUESTIONS MUST BE SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE ORIGINAL REQUEST FOR QUOTATION (GSD126443)		
				5.) EXTEND THE BID OPENING DATE.		
				BID OPENING DATE IS EXTENDED TO: 05/23/2012		
				BID OPENING TIME REMAINS: 1:30 PM.		
				***** END ADDENDUM NO. 5 *****		
0001	1	LS		968-32		
				DEMOLITION OF 400 BLOCK OF ADAMS ST; FAIRMONT, WV		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
	716-692-2000	5/21/2012
TITLE	FAX	ADDRESS CHANGES TO BE NOTED ABOVE
Managing Partner	22-3849335	

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